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UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA

CV12-04829-DWG(MFW)

LUXE LINK, LLC, a California limited
liability company,

Case No.

Plaintiff,

COMPLAINT FOR PATENT
INFRINGEMENT

v.

PROVIDE COMMERCE, INC., a
Delaware corporation, d/b/a
RedEnvelope.com,

DEMAND FOR JURY TRIAL

Defendant.

BY FAX

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1 LUXE LINK, LLC (“Luxe Link” or “Plaintiff”) hereby alleges for its
2 complaint against PROVIDE COMMERCE, INC., a Delaware corporation doing
3 business as RedEnvelope.com (“RedEnvelope” or “Defendant”) upon personal
4 information as to Plaintiff’s own activities, and upon information and belief as to
5 the activities of others, as follows:

6 I. NATURE OF THE CASE

7 1. This is a claim for patent infringement arising under the patent laws of
8 the United States, Title 35 of the United States Code. Luxe Link owns two patents
9 for a popular style of purse hook, which Luxe Link also sells. RedEnvelope sells
10 purse hooks that infringe these patents. Luxe Link put RedEnvelope on notice of
11 its patents and RedEnvelope’s infringement. Despite Luxe Link’s efforts to resolve
12 this matter outside court, RedEnvelope has never articulated a defense and
13 continues to infringe. Luxe Link brings this action to collect from RedEnvelope its
14 actual damages, plus treble damages, attorney fees, and costs as the Patent Act
15 allows.

16 II. JURISDICTION AND VENUE

17 2. This Court has exclusive subject-matter jurisdiction over this action
18 pursuant to 28 U.S.C. §§ 1331 and 1338(a) because the claims arise under the
19 federal Patent Act, 35 U.S.C. § 101 *et seq.*

20 3. This Court has personal jurisdiction over Defendant because
21 Defendant resides in California. Venue is proper in this judicial district pursuant to
22 28 U.S.C. §§ 1391(b), (c) and/or 1400(b) because Defendant offers to sell and sells
23 infringing products in Los Angeles County.

24 III. PARTIES

25 4. Plaintiff Luxe Link, LLC is a California limited liability company
26 with its principal business address at 2500 Broadway, Suite 125, Santa Monica,
27 California 90404.

28 5. Luxe Link is the owner of U.S. Patent No. 7,644,900 (“the ’900

Patent”), entitled “Portable Hanger for Purse”, issued January 12, 2010 (copy attached as Exhibit A).

6. Luxe Link is the owner of U.S. Patent No. 8,061,669 (“the ’669 Patent”, and together with the ’900 Patent, the “Luxe Link Patents”), entitled “Portable Hanger”, issued November 22, 2011 (copy attached as Exhibit B).

7. Luxe Link is the owner of the entire right, title, and interest in the Luxe Link Patents and has standing to sue for all past, present, and future infringement of the Luxe Link Patents.

8. Defendant Provide Commerce, Inc. is a Delaware corporation with its headquarters and principal business address at 4840 Eastgate Mall, San Diego, California 92121. Provide Commerce does business on the Internet as RedEnvelope.com through its website located at <redenvelope.com> and via catalogue sales.

9. Defendant transacts business and has provided to customers in this judicial district and throughout the State of California products and/or services that infringe and/or induce infringement of, and/or contribute to infringement of, one or more claims of the Luxe Link Patents.

10. Defendant manufactures, imports into the United States, sells, offers for sale, and/or uses portable hangers that infringe one or more claims of each of the Luxe Link Patents. Upon information and belief, such portable hangers are offered for sale and sold to customers in this judicial district and throughout the state of California.

IV. FACTUAL BACKGROUND

A. Luxe Link’s purse-hook business and patented technology

11. Luxe Link is a Los Angeles, California business which designs and sells purse hooks.

12. Kalika Yap, the founder and CEO of Luxe Link, invented a portable purse hook with links that form a hook for hanging an article (such as a purse)

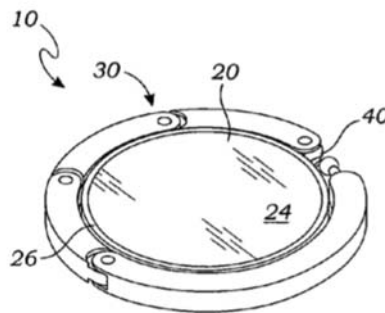
1 from a table, and which can be collapsed into a compact storage configuration.

2 13. On January 12, 2010, the U.S. Patent Office confirmed the novelty of
3 Luxe Link's purse hook invention when it issued the '900 Patent.

4 14. The '900 Patent discloses a portable hanger with the following key
5 components:

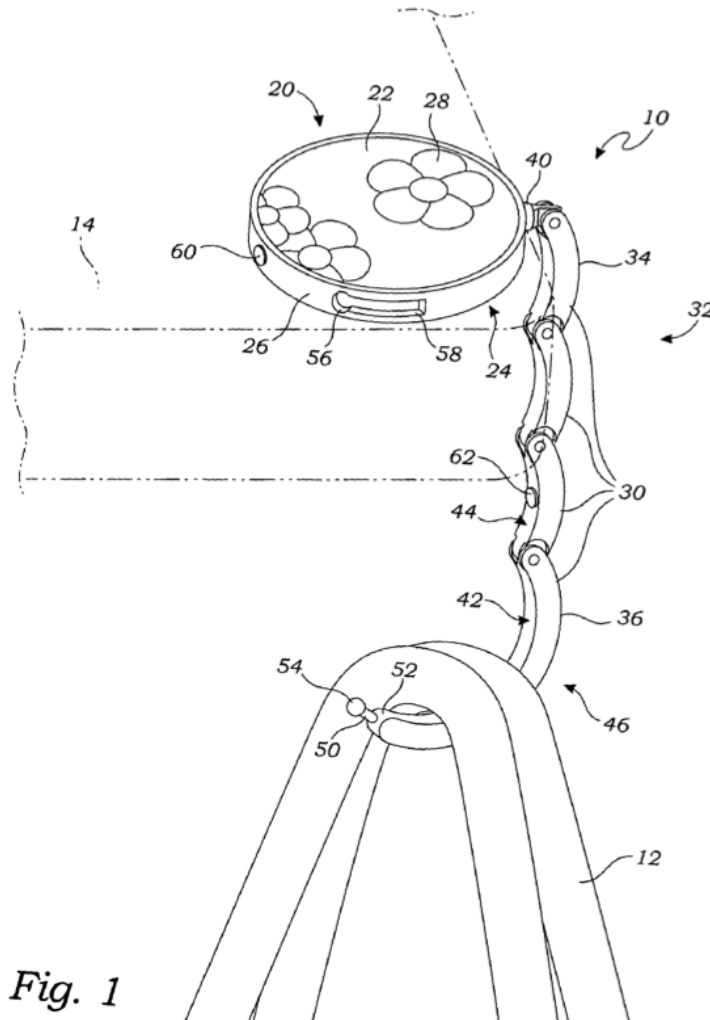
- 6 (a) A base with a planar bottom made to rest on a surface (*e.g.* a table);
- 7 (b) A chain of links connected to the base and which can be moved
8 between two configurations;
- 9 (c) A stored configuration in which the links are wrapped around the
10 base; and
- 11 (d) An operative configuration in which the links form a hook which can
12 be used to hold a purse.

13 15. A drawing from the '900 Patent showing the portable hanger
14 invention in its stored configuration with the links wrapped around the base
15 appears below:



22 *Fig. 3*

16. A drawing from the '900 Patent showing the portable hanger invention in its operative configuration with the links forming a hook to hang a purse appears below:



17. Luxe Link sells the Luxe Link purse hook which practices the technology disclosed in the '900 Patent.

1 18. A picture of the Luxe Link Purse Hook in use holding a purse from a
2 table appears below:



16 19. A picture of a Luxe Link Purse Hook in its stored configuration
17 appears below:



26 20. On November 22, 2011, the U.S. Patent Office issued Luxe Link the
27 '669 Patent.
28

B. RedEnvelope's infringing purse hooks

21. RedEnvelope operates an online shopping website at <http://www.redenvelope.com> which claims to offer “Unique gifts of exceptional quality.” RedEnvelope also offers products through a catalogue.

22. One of the products available on the RedEnvelope website and through the catalogue is a collapsible purse hook (the “RedEnvelope Purse Hook”).

23. The RedEnvelope Purse Hook is a low-quality knockoff of the Luxe Link Purse Hook.

24. A copy of the RedEnvelope webpage on which it sells the RedEnvelope Purse Hook is attached as Exhibit C.

25. RedEnvelope’s website describes the RedEnvelope Purse Hook as follows:

“This ingenious hook lets her keep her purse, shopping bag or umbrella near at hand and off the floor. It collapses into a compact disk to slip into a purse, then unfolds to suspend a bag from the table's edge or almost any flat surface.”

26. A picture of the RedEnvelope Purse Hook from the RedEnvelope website in its operative configuration hanging a purse from a table appears below:



1 27. A picture from the RedEnvelope website of the RedEnvelope Purse
2 Hook in its collapsed stored configuration appears below:



11 28. RedEnvelope sells another purse hook called the “GLAM Send fold
12 up purse hanger + mirror” (the “GLAM Purse Hook”).

13 29. A copy of the RedEnvelope webpage on which it sells the GLAM
14 Purse Hook is attached as Exhibit D.

15 30. RedEnvelope’s website describes the GLAM Purse Hook as follows:

16 “Now, she can hang her purse in trendy style with our Swarovski
17 crystal-accented fold-up purse hanger and mirror. With three enamel
18 finish pattern designs to choose from, the reverse side of the hanger
19 has a small mirror – perfect for checking her lipstick. The nickel-
20 plated hanger doubles as a keychain or easily hangs from her purse
21 strap. After all, her purse is much too nice to sit on a dirty restaurant
22 floor.”
23
24
25
26
27
28

1 31. A picture of the GLAM Purse Hook from the RedEnvelope website in
2 its operative configuration hanging a purse from a table appears below:






15 32. A picture from the RedEnvelope website of the GLAM Purse Hook in
16 its collapsed stored configuration appears below:






C. The RedEnvelope Purse Hook’s infringement of the ’900 Patent



33. The RedEnvelope Purse Hook practices all of the elements in claims 15–18, 20, and 21 of Luxe Link’s ’900 Patent.



Claim	’900 Patent Claim Language	RedEnvelope Purse Hook
15	A hanger for hanging an article relative to a surface, the hanger comprising:	<p>The RedEnvelope Purse Hook hangs an article (<i>e.g.</i> a purse) relative to a surface (<i>e.g.</i> a table). This is shown in the following product image from the RedEnvelope website:</p> 


Claim	'900 Patent Claim Language	RedEnvelope Purse Hook
<p>15 (cont)</p>	<p>a base having a bottom surface and a perimeter, the bottom surface being adapted to contact the surface;</p>	<p>The RedEnvelope Purse Hook has a base with a bottom surface and a perimeter (<i>i.e.</i> the circular outer edge of the base). The bottom surface of the base is adapted to contact the surface by being flat and rubberized. The bottom surface of the base is shown in the following image:</p> 
<p>15 (cont)</p>	<p>a plurality of links that form a chain having a first link and a last link, the first link being movably connected to the perimeter of the base, the chain being movable between</p>	<p>The RedEnvelope Purse Hook has a chain of four links, including a first link and a last link. The first link is connected to the perimeter of the base in such a way that the first link can move between an operative configuration and a stored configuration. A picture of the RedEnvelope Purse Hook showing the chain of links and the connection to the base follows:</p> 


Claim	'900 Patent Claim Language	RedEnvelope Purse Hook
15 (cont)	(i) an operative configuration in which the chain forms a support structure that is adapted to suspend the article when the bottom surface of the base is in contact with the surface, and	<p>The RedEnvelope Purse Hook has an operative configuration in which the chain of links forms a support structure from which the article (<i>e.g.</i> a purse) may be suspended when the bottom of the base is in contact with the surface (<i>e.g.</i> when the base is resting on a table). This configuration is shown in the following product image from the RedEnvelope website:</p> 



Claim	'900 Patent Claim Language	RedEnvelope Purse Hook
<p>15 (cont)</p>	<p>(ii) a stored configuration in which at least a portion of the chain is positioned generally adjacent the perimeter of the base; and</p>	<p>The RedEnvelope Purse Hook has a stored configuration in which the chain of links is positioned adjacent to the perimeter of the base (<i>i.e.</i> the circular outer edge of the base). This configuration is shown in the following product image from the RedEnvelope website:</p> 
<p>15 (cont)</p>	<p>a locking means that selectively secures at least the portion of the chain against the perimeter of the base in the stored configuration, the locking means including a magnet.</p>	<p>The RedEnvelope Purse Hook includes two magnets that secure a portion of the chain of links against the perimeter of the base (<i>i.e.</i> the circular outer edge of the base) in the stored configuration. Those magnets are shown in the following picture:</p> 


Claim	'900 Patent Claim Language	RedEnvelope Purse Hook
16	The portable hanger of claim 15, wherein the locking means includes first and second magnets.	<p>The RedEnvelope Purse Hook includes two magnets that secure a portion of the chain of links in the stored configuration. Those magnets are shown in the following picture:</p> 
17	The portable hanger of claim 16, wherein the first magnet is mounted on the perimeter of the base, and the second magnet is mounted on one of the plurality of links.	<p>The RedEnvelope Purse Hook includes two magnets that secure the chain of links in the stored configuration. One of the magnets is located on the perimeter of the base (<i>i.e.</i> the circular outer edge of the base) and the other is located on one of the links. Those magnets are shown in the following picture:</p> 


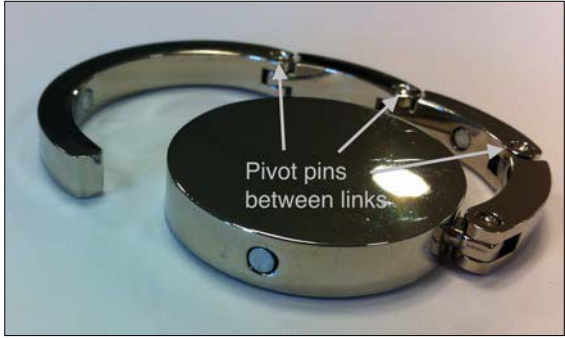
Claim	'900 Patent Claim Language	RedEnvelope Purse Hook
18	A hanger for hanging an article relative to a surface, the hanger comprising:	<p>The RedEnvelope Purse Hook hangs an article (<i>e.g.</i> a purse) relative to a surface (<i>e.g.</i> a table). This is shown in the following product image from the RedEnvelope website:</p> 
18 (cont)	a base having a bottom surface and a perimeter, the bottom surface being adapted to contact the surface;	<p>The RedEnvelope Purse Hook has a base with a bottom surface and a perimeter (<i>i.e.</i> the circular outer edge of the base). The bottom surface of the base is adapted to contact the surface by being flat and rubberized. The bottom surface of the base is shown in the following image:</p> 

Claim	'900 Patent Claim Language	RedEnvelope Purse Hook
<p>18 (cont)</p>	<p>a plurality of links that form a chain having a first link and a last link, the first link being movably connected to the perimeter of the base, the chain being movable between</p>	<p>The RedEnvelope Purse Hook has a chain of four links, including a first link and a last link. The first link is connected to the perimeter of the base in such a way that the first link can move between an operative configuration and a stored configuration. A picture of the RedEnvelope Purse Hook showing the chain of links and the connection to the base follows:</p> 


Claim	'900 Patent Claim Language	RedEnvelope Purse Hook
<p>18 (cont)</p>	<p>(i) an operative configuration in which the chain forms a support structure that is adapted to suspend the article when the bottom surface of the base is in contact with the surface, and</p>	<p>The RedEnvelope Purse Hook has an operative configuration in which the chain of links forms a support structure from which the article (<i>e.g.</i> a purse) may be suspended when the bottom of the base is in contact with the surface (<i>e.g.</i> when the base is resting on a table). This configuration is shown in the following product image from the RedEnvelope website:</p> 


Claim	'900 Patent Claim Language	RedEnvelope Purse Hook
<p>18 (cont)</p>	<p>(ii) a stored configuration in which at least a portion of the chain is positioned generally adjacent the perimeter of the base; and</p>	<p>The RedEnvelope Purse Hook has a stored configuration in which the chain of links is positioned adjacent to the perimeter of the base (<i>i.e.</i> the circular outer edge of the base). This configuration is shown in the following product image from the RedEnvelope website:</p> 
<p>18 (cont)</p>	<p>a locking means that selectively secures at least the portion of the chain against the perimeter of the base in the stored configuration, the locking means including a first magnet and a second magnet.</p>	<p>The RedEnvelope Purse Hook includes two magnets that secure a portion of the chain of links against the perimeter of the base (<i>i.e.</i> the circular outer edge of the base) in the stored configuration. Those magnets are shown in the following picture:</p> 



Claim	'900 Patent Claim Language	RedEnvelope Purse Hook
20	A portable hanger for hanging an article relative to a surface, the portable hanger comprising:	<p>The RedEnvelope Purse Hook is a portable hanger for hanging an article (<i>e.g.</i> a purse) relative to a surface (<i>e.g.</i> below a table). This is shown in the following product image from the RedEnvelope website:</p> 

Claim	'900 Patent Claim Language	RedEnvelope Purse Hook
<p>20 (cont)</p>	<p>a base having a generally planar bottom surface and a perimeter, the bottom surface being adapted to rest upon and frictionally engage the surface;</p>	<p>The Red Envelope Purse Hook has a base with a generally planar (<i>i.e.</i> flat) bottom surface and a circular perimeter. The bottom surface is adapted to rest upon and frictionally engage the surface because it is rubberized and flat. The bottom surface of the base is shown in the following image:</p> 
<p>20 (cont)</p>	<p>a plurality of links pivotally linked to each other in series to form a chain having a first link and a last link;</p>	<p>The RedEnvelope Purse Hook has four links in a chain, including a first link and a last link. The links in the chain are linked to each other with pins which permit them to pivot relative to each other. The links connected by pins are shown in the following product image:</p> 

Claim	'900 Patent Claim Language	RedEnvelope Purse Hook
<p>1</p> <p>2</p> <p>3 20</p> <p>4 (cont)</p>	<p>a pivot pin that</p> <p>pivotally connects</p> <p>the perimeter of</p> <p>the base and the</p> <p>first link so that</p> <p>the first link can</p> <p>pivot between a</p> <p>first position and a</p> <p>second position</p> <p>with respect to the</p> <p>base;</p>	<p>The RedEnvelope Purse Hook has a retractable</p> <p>pivot pin that connects the perimeter of the base</p> <p>(<i>i.e.</i> the circular outer edge of the base) and the</p> <p>first link. The retractable pin is shown connecting</p> <p>the base and the first link in the following image:</p> <div data-bbox="782 600 1258 871" data-label="Image"> </div> <p>The pivot pin permits the first link to move</p> <p>between two positions with respect to the base as</p> <p>described below.</p>
<p>15 20</p> <p>16 (cont)</p>	<p>wherein the</p> <p>plurality of links</p> <p>are adapted for</p> <p>pivot between</p>	<p>The links in the RedEnvelope Purse Hook are able</p> <p>to pivot between two configurations.</p>


Claim	'900 Patent Claim Language	RedEnvelope Purse Hook
	a stored configuration in which the first link is in the first position and in which the plurality of links contact the perimeter of the base, and	<p>The RedEnvelope Purse Hook has a stored configuration where the first link is in the first position and in which all of the links contact the perimeter of the base. This configuration is shown in the following product image from the RedEnvelope website:</p> 


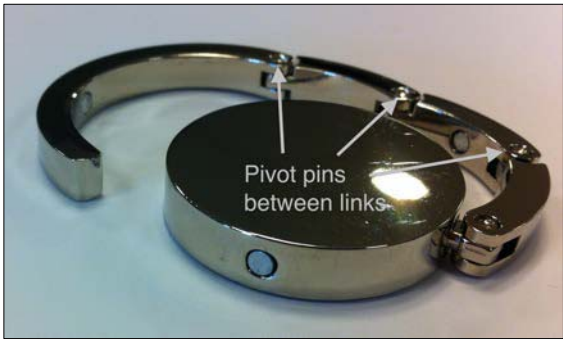
Claim	'900 Patent Claim Language	RedEnvelope Purse Hook
	<p>an operative configuration in which the first link is in the second position and in which the plurality of links form a hook so that the article may be hung upon the hook when the base is positioned on the surface; and</p>	<p>The RedEnvelope Purse Hook has an operative configuration in which the first link is in the second position and in which the plurality of links form a hook for hanging an article (<i>e.g.</i> a purse). This configuration is shown in the following product image from the RedEnvelope website:</p> 

Claim	'900 Patent Claim Language	RedEnvelope Purse Hook
<p>20 (cont)</p>	<p>a locking means for securing the plurality of links in the stored configuration, the locking means including first and second magnets.</p>	<p>The RedEnvelope Purse Hook includes two magnets that secure the links in the stored configuration. Those magnets are shown in the following picture:</p> 
<p>21</p>	<p>The hanger of claim 20, wherein the first magnet is mounted on the perimeter of the base, and the second magnet is mounted on one of the plurality of links.</p>	<p>The RedEnvelope Purse Hook includes two magnets that secure the links in the stored configuration. One of the magnets is located on the perimeter of the base (<i>i.e.</i> the circular outer edge of the base) and the other is located on one of the links. Those magnets are shown in the following picture:</p> 


D. The RedEnvelope Purse Hook’s infringement of the ’669 Patent


34. The RedEnvelope Purse Hook practices all of the elements in claims 1–6, 8–10, 12–17, and 19–20 of Luxe Link’s ’669 Patent:


Claim	’669 Patent Claim Language	RedEnvelope Purse Hook
1	A hanger for hanging an article relative to a surface, the hanger comprising:	<p>The RedEnvelope Purse Hook is a hanger for hanging an article (<i>e.g.</i> a purse) relative to a surface (<i>e.g.</i> below a table). This is shown in the following product image from the RedEnvelope website:</p> 


Claim	'669 Patent Claim Language	RedEnvelope Purse Hook
<p>1 (cont)</p>	<p>a base having a perimeter, the base being adapted to contact the surface;</p>	<p>The RedEnvelope Purse Hook has a base with a circular perimeter and is adapted to contact the surface by being flat and rubberized. The bottom surface of the base is shown in the following image:</p> 
<p>1 (cont)</p>	<p>three links that are coupled together in series to form at least a portion of a chain; and</p>	<p>The RedEnvelope Purse Hook has three links coupled together in series to form at least part of a chain. There are a total of four links in the chain. The links are shown in the following product image:</p> 


Claim	'669 Patent Claim Language	RedEnvelope Purse Hook
<p>1</p> <p>2</p> <p>3 1</p> <p>4 (cont)</p> <p>5</p> <p>6</p> <p>7</p> <p>8</p> <p>9</p> <p>10</p> <p>11</p> <p>12</p> <p>13</p> <p>14</p> <p>15</p> <p>16</p> <p>17</p> <p>18</p> <p>19</p> <p>20</p> <p>21</p> <p>22</p> <p>23</p> <p>24</p> <p>25</p> <p>26</p> <p>27</p> <p>28</p>	<p>a connector that</p> <p>rotates about an axis</p> <p>to move at least one</p> <p>of the links between</p>	<p>The RedEnvelope Purse Hook has a connector, in the form of a retractable pin. The retractable pin is shown connecting the base and the chain in the following image:</p> <div data-bbox="802 537 1289 810" data-label="Image"> </div> <p>The connector rotates about the axis of the retractable pin so that the links move between a stored configuration and an operative configuration.</p>



Claim	'669 Patent Claim Language	RedEnvelope Purse Hook
<p>1 (cont)</p>	<p>(i) a stored configuration wherein at least two of the links each abuts less than approximately 180 degrees of the perimeter of the base, and</p>	<p>The RedEnvelope has a stored configuration where at least two of the links each abut (<i>i.e.</i> are adjacent to) less than 180° (<i>i.e.</i> less than half) of the perimeter of the circular base. This configuration is shown in the following product image from the RedEnvelope website:</p> 



Claim	'669 Patent Claim Language	RedEnvelope Purse Hook
<p>1 (cont)</p>	<p>(ii) an operative configuration wherein at least one of the links is positioned to suspend the article relative to the surface,</p>	<p>The RedEnvelope Purse Hook has an operative configuration in which the last link in the chain is positioned to suspend the article (<i>e.g.</i> a purse) relative to the surface (<i>e.g.</i> below a table). This configuration is shown in the following product image from the RedEnvelope website:</p> 


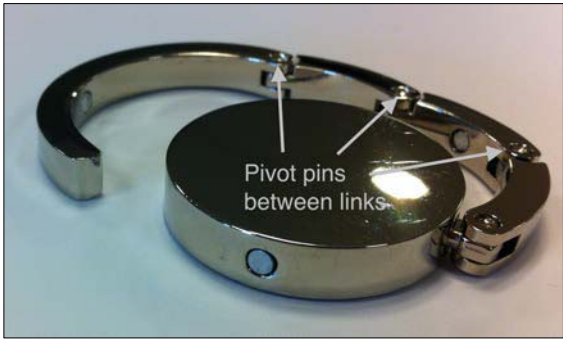
Claim	'669 Patent Claim Language	RedEnvelope Purse Hook
<p>1 (cont)</p>	<p>the connector selectively moving along the axis between a retracted position and an extended position.</p>	<p>The RedEnvelope Purse Hook's retractable-pin connector moves along its axis between a retracted position and an extended position. A side-by-side comparison of the retractable-pin connector in its retracted position and extended position appears in the following image:</p> 


Claim	'669 Patent Claim Language	RedEnvelope Purse Hook
2	The hanger of claim 1 wherein at least two of the links have different arcuate lengths relative to one another.	<p>The RedEnvelope Purse Hook includes links which have different arcuate lengths (<i>i.e.</i> the links are different lengths around the edge of the circular base). This is shown in the following product image from the RedEnvelope website, in which one of the links (the last link) goes about halfway around the base and the other links each go about one-sixth of the way around the base:</p> 



Claim	'669 Patent Claim Language	RedEnvelope Purse Hook
3	The hanger of claim 1 wherein the perimeter of the base is substantially circular, and wherein in the stored configuration one of the links abuts approximately 60 degrees of the perimeter of the base.	<p>The RedEnvelope Purse Hook has a circular base and in the stored configuration one of the links abuts approximately 60° (<i>i.e.</i> one-sixth) of the perimeter of the base (<i>i.e.</i> the circular outer edge of the base). This is shown in the following product image from the RedEnvelope website in which one of the links abuts about 180° of the base and the others abut about 60° of the base:</p> 



Claim	'669 Patent Claim Language	RedEnvelope Purse Hook
4	The hanger of claim 1 wherein each of the links has a radius of curvature that is approximately the same as each of the remaining links.	<p>Each of the links in the RedEnvelope Purse Hook has approximately the same radius of curvature. This is shown in the following product image from the RedEnvelope website in which all of the links have the same curvature:</p> 
5	The hanger of claim 1 wherein the base includes a substantially planar bottom surface, and wherein the axis is substantially parallel to the bottom surface.	<p>The RedEnvelope Purse Hook has a substantially planar (<i>i.e.</i> flat) bottom surface, and the axis of the connector is parallel to that bottom surface. The bottom surface of the base is shown in the following image:</p> 


Claim	'669 Patent Claim Language	RedEnvelope Purse Hook
6	The hanger of claim 1 further comprising a locking means that secures at least one of the links to the perimeter of the base on the stored configuration.	<p>The Red Envelope Purse Hook has magnets that secure one of the links to the perimeter of the base (<i>i.e.</i> the circular outside edge of the base) while in the stored configuration. Those magnets are shown in the following picture:</p> 
8	The hanger of claim 1 wherein the links contact at least approximately 50% of the perimeter of the base in the stored configuration.	<p>The links of the Red Envelope Purse Hook contact <u>at least</u> approximately 50% of the perimeter of the base in the stored configuration because they contact nearly all of the perimeter of the base while in that configuration. This is shown in the following product image from the RedEnvelope website:</p> 


Claim	'669 Patent Claim Language	RedEnvelope Purse Hook
<p>9</p>	<p>The hanger of claim 1 wherein the links contact approximately 100% of the perimeter of the base in the stored configuration.</p>	<p>The links of the Red Envelope Purse Hook contact approximately 100% of the perimeter of the base while in the stored configuration. This is shown in the following product image from the RedEnvelope website:</p> 
<p>10</p>	<p>The hanger of claim 1 wherein the links are adapted to pivot relative to one another.</p>	<p>The links of the Red Envelope Purse Hook pivot relative to each other. They pivot at the pins connecting the links as shown in the following image:</p> 


Claim	'669 Patent Claim Language	RedEnvelope Purse Hook
12	A hanger for hanging an article relative to a surface, the hanger comprising:	<p>The RedEnvelope Purse Hook is a hanger for hanging an article (<i>e.g.</i> a purse) relative to a surface (<i>e.g.</i> below a table). This is shown in the following product image from the RedEnvelope website:</p> 


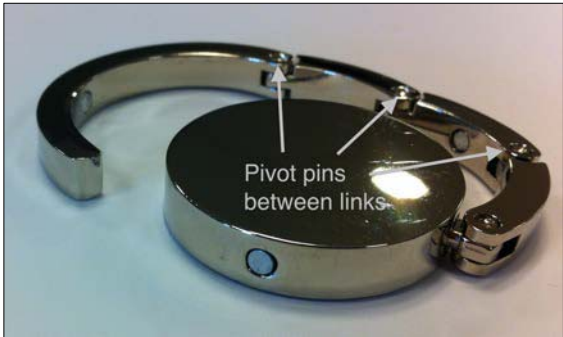
Claim	'669 Patent Claim Language	RedEnvelope Purse Hook
<p>12 (cont)</p>	<p>a base having a base that is substantially circular;</p>	<p>The RedEnvelope Purse Hook has a circular base. This is shown in the following product image from the RedEnvelope website:</p> 
<p>12 (cont)</p>	<p>a plurality of links including a first link and a last link that are connected to one another;</p>	<p>The RedEnvelope Purse Hook has four connected links, including a first link and a last link. The links are shown in the following product image from the RedEnvelope website:</p> 


Claim	'669 Patent Claim Language	RedEnvelope Purse Hook
<p>12 (cont)</p>	<p>and a connector that couples the first link to the base, the connector selectively moves along an axis between a retracted position and an extended position, the connector rotating about the axis to move the plurality of links between</p>	<p>The RedEnvelope Purse Hook has a connector in the form of a retractable pin that couples the first link to the base. The following image shows the retractable pin connecting the base and the first link:</p>  <p>A side-by-side comparison of the retractable-pin connector in its retracted position and extended position appears in the following image:</p>  <p>The connector rotates about the axis of the retractable pin to move the links between a stored configuration and an operative configuration.</p>



Claim	'669 Patent Claim Language	RedEnvelope Purse Hook
<p>12 (cont)</p>	<p>(i) a stored configuration wherein one of the links abuts at least approximately 60 degrees of the perimeter of the base, and</p>	<p>The RedEnvelope Purse Hook has a circular base and in the stored configuration one of the links abuts approximately 60° of the perimeter of the base. This is shown in the following product image from the RedEnvelope website in which one of the links abuts approximately 180° of the perimeter of the base and the other links abut approximately 60° of the perimeter of the base:</p> 



Claim	'669 Patent Claim Language	RedEnvelope Purse Hook
12 (cont)	(ii) an operative configuration in which at least one of the links is positioned to suspend the article relative to the surface.	<p>The RedEnvelope has an operative configuration in which at least one of the links is positioned to suspend the article (<i>e.g.</i> a purse) relative to the surface (<i>e.g.</i> below a table). This configuration is shown in the following product image from the RedEnvelope website:</p> 


Claim	'669 Patent Claim Language	RedEnvelope Purse Hook
13	The hanger of claim 12 wherein at least two of [the] plurality of links have different arcuate lengths relative to one another.	<p>The RedEnvelope Purse Hook includes links which have different arcuate lengths (<i>i.e.</i> the links are different lengths around the edge of the circular base). This is shown in the following product image from the RedEnvelope website, in which one of the links goes about halfway around the base and the other links each go about one-sixth of the way around the base:</p> 


Claim	'669 Patent Claim Language	RedEnvelope Purse Hook
14	The hanger of claim 12 wherein the base includes a substantially planar bottom surface, and wherein the axis is substantially parallel to the bottom surface.	<p>The base of the RedEnvelope Purse Hook has a substantially planar (<i>i.e.</i> flat) bottom surface which is substantially parallel to the axis about which the retractable pin rotates. The following image shows the bottom surface of the base and the axis of the retractable pin:</p> 
15	The hanger of claim 12 wherein the links are adapted to pivot relative to one another.	<p>The links of the Red Envelope Purse Hook pivot relative to each other. They pivot at the pins connecting the links as shown in the following image:</p> 


Claim	'669 Patent Claim Language	RedEnvelope Purse Hook
16	A hanger for hanging an article relative to a surface, the hanger comprising:	<p>The Red Envelope Purse Hook is a hanger for hanging an article (<i>e.g.</i> a purse) relative to a surface (<i>e.g.</i> below a table). This is shown in the following product image from the RedEnvelope website:</p> 



Claim	'669 Patent Claim Language	RedEnvelope Purse Hook
<p>16 (cont)</p>	<p>a base having a perimeter;</p>	<p>The RedEnvelope Purse Hook has a circular base. This is shown in the following product image from the RedEnvelope website:</p> 
<p>16 (cont)</p>	<p>a plurality of links including a first link and a last link that are connected to one another;</p>	<p>The RedEnvelope Purse Hook has four connected links, including a first link and a last link. The links are shown in the following product image from the RedEnvelope website:</p> 



Claim	'669 Patent Claim Language	RedEnvelope Purse Hook
<p>16 (cont)</p>	<p>and a connector that couples the first link to the base, the connector selectively moves along an axis between a retracted position and an extended position, the connector rotating about the axis to move the plurality of links, between</p>	<p>The RedEnvelope Purse Hook has a connector in the form of a retractable pin that couples the first link to the base. The following image shows the retractable pin connecting the base and the first link:</p>  <p>A side-by-side comparison of the retractable-pin connector in its retracted position and extended position appears in the following image:</p>  <p>The connector moves along an axis between its retracted position and its extended position. The connector rotates about the axis to move the links between a stored configuration and an operative configuration.</p>


Claim	'669 Patent Claim Language	RedEnvelope Purse Hook
16 (cont)	(i) a stored configuration wherein one of the links abuts less than approximately 180 degrees of the perimeter of the base, and	<p>The RedEnvelope has a stored configuration in which one of the links abuts (<i>i.e.</i> is adjacent to) less than 180° (<i>i.e.</i> less than half) of the perimeter of the base (<i>i.e.</i> the circular outer edge of the base). Specifically, there are three links which each only abut about 60° of the base. This configuration is shown in the following product image from the RedEnvelope website:</p> 


Claim	'669 Patent Claim Language	RedEnvelope Purse Hook
<p>16 (cont)</p>	<p>(ii) an operative configuration in which at least one of the links is positioned to suspend the article relative to the surface.</p>	<p>The RedEnvelope Purse Hook has an operative configuration in which at least one of the links is positioned to suspend the article (<i>e.g.</i> a purse) relative to the surface (<i>e.g.</i> below a table). This configuration is shown in the following product image from the RedEnvelope website:</p> 


Claim	'669 Patent Claim Language	RedEnvelope Purse Hook
17	A hanger for hanging an article relative to a surface, the hanger comprising:	<p>The Red Envelope Purse Hook is a hanger for hanging an article (<i>e.g.</i> a purse) relative to a surface (<i>e.g.</i> below a table). This is shown in the following product image from the RedEnvelope website:</p> 


Claim	'669 Patent Claim Language	RedEnvelope Purse Hook
<p>17 (cont)</p>	<p>a base having a perimeter;</p>	<p>The RedEnvelope Purse Hook has a base with a circular perimeter. This is shown in the following product image from the RedEnvelope website:</p> 
<p>17 (cont)</p>	<p>a plurality of links including a first link and a last link that are connected to one another;</p>	<p>The RedEnvelope Purse Hook has four connected links, including a first link and a last link. The links are shown in the following product image from the RedEnvelope website:</p> 



Claim	'669 Patent Claim Language	RedEnvelope Purse Hook
<p>17 (cont)</p>	<p>a connector that couples the first link to the base, the connector selectively moves along an axis between a retracted position and an extended position, the connector rotating about the axis to move the plurality of links between</p>	<p>The RedEnvelope Purse Hook has a connector in the form of a retractable pin that couples the first link to the base. The following image shows the retractable pin connecting the base and the first link:</p>  <p>A side-by-side comparison of the retractable-pin connector in its retracted position and extended position appears in the following image:</p>  <p>The connector moves along an axis between its retracted position and its extended position. The connector rotates about the axis to move the links between a stored configuration and an operative configuration.</p>



Claim	'669 Patent Claim Language	RedEnvelope Purse Hook
17 (cont)	(i) a stored configuration, and	<p>The RedEnvelope Purse Hook has a stored configuration. This configuration is shown in the following product image from the RedEnvelope website:</p> 


Claim	'669 Patent Claim Language	RedEnvelope Purse Hook
<p>17 (cont)</p>	<p>(ii) an operative configuration in which at least one of the links is positioned to suspend the article relative to the surface; and</p>	<p>The RedEnvelope also has an operative configuration in which at least one of the links is positioned to suspend the article (<i>e.g.</i> a purse) relative to the surface (<i>e.g.</i> below a table). This configuration is shown in the following product image from the RedEnvelope website:</p> 


Claim	'669 Patent Claim Language	RedEnvelope Purse Hook
17 (cont)	a locking means that secures at least one of the links to the perimeter of the base on the stored configuration.	<p>The RedEnvelope Purse Hook includes magnets that secure one of the links to the perimeter of the base (<i>i.e.</i> the circular outer edge of the base) in the stored configuration. Those magnets are shown in the following picture:</p> 


Claim	'669 Patent Claim Language	RedEnvelope Purse Hook
19	A hanger for hanging an article relative to a surface, the hanger comprising:	<p>The RedEnvelope Purse Hook is a hanger for hanging an article (<i>e.g.</i> a purse) relative to a surface (<i>e.g.</i> below a table). This is shown in the following product image from the RedEnvelope website:</p> 

Claim	'669 Patent Claim Language	RedEnvelope Purse Hook
<p>19 (cont)</p>	<p>a base having a perimeter;</p>	<p>The RedEnvelope Purse Hook has a base with a circular perimeter. The base is shown in the following product image from the RedEnvelope website:</p> 
<p>19 (cont)</p>	<p>a plurality of links including a first link and a last link that are connected to one another;</p>	<p>The RedEnvelope Purse Hook has four connected links including a first link and a last link. The links are shown in the following product image from the RedEnvelope website:</p> 


Claim	'669 Patent Claim Language	RedEnvelope Purse Hook
<p>19 (cont)</p>	<p>and a connector that couples the first link to the base, the connector selectively moves along an axis between a retracted position and an extended position, the connector rotating about the axis to move the plurality of links between</p>	<p>The RedEnvelope Purse Hook has a connector in the form of a retractable pin that couples the first link to the base. The following image shows the retractable pin connecting the base and the first link:</p>  <p>A side-by-side comparison of the retractable-pin connector in its retracted position and extended position appears in the following image:</p>  <p>The retractable pin rotates about the axis to move the links between a stored configuration and an operative configuration.</p>

Claim	'669 Patent Claim Language	RedEnvelope Purse Hook
19 (cont)	(i) a stored configuration, and	<p>The RedEnvelope Purse Hook has a stored configuration. This configuration is shown in the following product image from the RedEnvelope website:</p> 



Claim	'669 Patent Claim Language	RedEnvelope Purse Hook
<p>19 (cont)</p>	<p>(ii) an operative configuration in which at least one of the links is positioned to suspend the article relative to the surface;</p>	<p>The RedEnvelope Purse Hook has an operative configuration in which the last link is positioned to suspend an article (<i>e.g.</i> a purse) relative to a surface (<i>e.g.</i> below a table). This configuration is shown in the following product image from the RedEnvelope website:</p> 


Claim	'669 Patent Claim Language	RedEnvelope Purse Hook
19 (cont)	wherein the links contact at least approximately 50% of the perimeter of the base in the stored configuration.	<p>The links in the RedEnvelope Purse Hook contact at least 50% of the perimeter of the base (<i>i.e.</i> the circular outer edge of the base) because they contact almost the entire perimeter. This is shown in the following product image from the RedEnvelope website:</p> 





Claim	'669 Patent Claim Language	RedEnvelope Purse Hook
20	A hanger for hanging an article relative to a surface, the hanger comprising:	<p>The RedEnvelope Purse Hook is a hanger for hanging an article (<i>e.g.</i> a purse) relative to a surface (<i>e.g.</i> below a table). This is shown in the following product image from the RedEnvelope website:</p> 

Claim	'669 Patent Claim Language	RedEnvelope Purse Hook
<p>1 20</p> <p>2 (cont)</p>	<p>3 a base having a</p> <p>4 perimeter;</p>	<p>5 The RedEnvelope Purse Hook has a base with a</p> <p>6 circular perimeter. This is shown in the</p> <p>7 following product image from the RedEnvelope</p> <p>8 website:</p> <div data-bbox="812 535 1274 997" data-label="Image"> </div>
<p>14 20</p> <p>15 (cont)</p>	<p>16 a plurality of links</p> <p>17 including a first link</p> <p>18 and a last link that</p> <p>19 are connected to one</p> <p>20 another; and</p>	<p>21 The RedEnvelope Purse Hook has four links</p> <p>22 that are connected, including a first link and a</p> <p>23 last link. The links are shown in the following</p> <p>24 product image from the RedEnvelope website:</p> <div data-bbox="812 1291 1274 1753" data-label="Image"> </div>

Claim	'669 Patent Claim Language	RedEnvelope Purse Hook
<p>20 (cont)</p>	<p>a connector that couples the first link to the base, the connector selectively moves along an axis between a retracted position and an extended position, the connector rotating about the axis to move the plurality of links between</p>	<p>The RedEnvelope Purse Hook has a connector in the form of a retractable pin that couples the first link to the base. The following image shows the retractable pin connecting the base and the first link:</p>  <p>A side-by-side comparison of the retractable-pin connector in its retracted position and extended position appears in the following image:</p>  <p>The retractable pin rotates about the axis to move the links between a stored configuration and an operative configuration.</p>


Claim	'669 Patent Claim Language	RedEnvelope Purse Hook
20 (cont)	(i) a stored configuration, and	<p>The RedEnvelope Purse Hook has a stored configuration. This configuration is shown in the following product image from the RedEnvelope website:</p> 


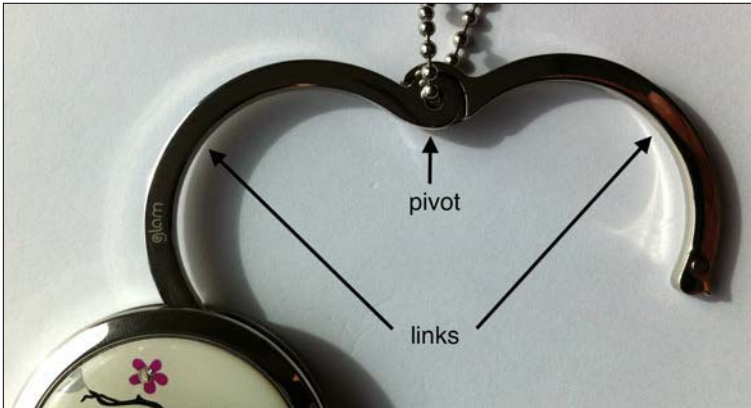
Claim	'669 Patent Claim Language	RedEnvelope Purse Hook
<p>20 (cont)</p>	<p>(ii) an operative configuration in which at least one of the links is positioned to suspend the article relative to the surface;</p>	<p>The RedEnvelope Purse Hook also has an operative configuration in which one of the links is positioned so that it can suspend an article (<i>e.g.</i> a purse) below the surface (<i>e.g.</i> below a table). This configuration is shown in the following product image from the RedEnvelope website:</p> 

Claim	'669 Patent Claim Language	RedEnvelope Purse Hook
20 (cont)	wherein the links contact approximately 100% of the perimeter of the base in the stored configuration.	<p>In the stored configuration, the links in the RedEnvelope Purse Hook contact approximately 100% of the perimeter of the edge of the base (<i>i.e.</i> the circular outer edge of the base). This is shown in the following product image from the RedEnvelope website:</p> 


E. The GLAM Purse Hook's infringement of the '900 Patent



35. The GLAM Purse Hook practices all of the elements in claims 1, 3–8, and 15–23 of the '900 Patent:


Claim	'900 Patent Claim Language	GLAM Purse Hook
1	A portable hanger for hanging an article relative to a surface, the portable hanger comprising:	<p>The GLAM Purse Hook is a portable hanger for hanging an article (<i>e.g.</i> a purse) relative to a surface (<i>e.g.</i> below a table). This is shown in the following product image from the RedEnvelope website:</p> 



Claim	'900 Patent Claim Language	GLAM Purse Hook
<p>1</p> <p>2</p> <p>3 1</p> <p>4 (cont)</p>	<p>a base having a</p> <p>generally planar</p> <p>bottom surface</p> <p>and a perimeter,</p> <p>the bottom surface</p> <p>being adapted to</p> <p>rest upon and</p> <p>frictionally engage</p> <p>the surface;</p>	<p>The GLAM Purse Hook has a generally planar (<i>i.e.</i> flat) bottom surface and a circular perimeter, and the bottom surface of the base is adapted to contact the surface by being flat and rubberized. This is shown in the following product image from the RedEnvelope website:</p> 
<p>15 1</p> <p>16 (cont)</p>	<p>a plurality of links</p> <p>pivotally linked to</p> <p>each other in</p> <p>series to form a</p> <p>chain having a</p> <p>first link and a last</p> <p>link;</p>	<p>The GLAM Purse Hook has two connected links which pivot where they are joined together. The links are shown in the following image:</p> 



Claim	'900 Patent Claim Language	GLAM Purse Hook
<p>1</p> <p>2</p> <p>3 1</p> <p>4 (cont)</p>	<p>a pivot pin that</p> <p>pivotally connects</p> <p>the base and the</p> <p>first link of the</p> <p>plurality of links,</p> <p>such that the first</p> <p>link can pivot</p> <p>between a first</p> <p>position and a</p> <p>second position</p> <p>with respect to the</p> <p>base; and</p>	<p>The GLAM Purse Hook has a pivot pin which</p> <p>connects the base and the first link and which</p> <p>permits the first link to pivot between a first</p> <p>position and a second position with respect to the</p> <p>base.</p>
<p>15 1</p> <p>16 (cont)</p>	<p>a means for</p> <p>interlocking the</p> <p>last link with the</p> <p>base, wherein a</p> <p>portion of the last</p> <p>link extends into</p> <p>the base;</p>	<p>The GLAM Purse Hook's last link interlocks with</p> <p>the base by a portion of the last link extending into</p> <p>a slot on the base. The following picture shows the</p> <p>last link and the slot on the base into which it</p> <p>extends:</p> <div data-bbox="732 1367 1313 1774" data-label="Image"> </div>



Claim	'900 Patent Claim Language	GLAM Purse Hook
1 (cont)	wherein the plurality of links are adapted for pivot between	The GLAM Purse Hook's two links pivot between a stored configuration and an operative configuration.
1 (cont)	a stored configuration in which the first link is in the first position and in which the plurality of links are positioned generally adjacent the perimeter of the base, and	<p>The GLAM Purse Hook has a stored configuration in which the first link is in the first position and the links are positioned adjacent to the perimeter of the base (<i>i.e.</i> the circular outer edge of the base). This configuration is shown in the following product image from the RedEnvelope website:</p> 

Claim	'900 Patent Claim Language	GLAM Purse Hook
<p>1 (cont)</p>	<p>an operative configuration in which the first link is in the second position and in which the plurality of links form a hook, such that the article may be hung upon the hook when the base is positioned on the surface.</p>	<p>The GLAM Purse Hook has an operative configuration in which the first link is in the second position and the links form a hook to hang an article (<i>e.g.</i> a purse). This configuration is shown in the following product image from the RedEnvelope website:</p> 
<p>3</p>	<p>The portable hanger of claim 1, wherein the base is generally disk-shaped.</p>	<p>The base of the GLAM Purse Holder is generally disk-shaped. This is shown in the following product image from the RedEnvelope website:</p> 


Claim	'900 Patent Claim Language	GLAM Purse Hook
4	The portable hanger of claim 1, wherein the base includes a top surface opposite the bottom surface, and a decorative indicia positioned on the top surface.	<p>The base of the GLAM Purse Hook has a top surface opposite the bottom surface. The GLAM Purse Hook is available with various decorative indicia (<i>i.e.</i> designs) on the top surface. One such design on the top surface of the GLAM Purse Hook is shown in the following product image from the RedEnvelope website:</p> 



Claim	'900 Patent Claim Language	GLAM Purse Hook
<p>5</p>	<p>The portable hanger of claim 1, wherein the last link of the plurality of links includes a concave inner surface that is adapted to engage the article.</p>	<p>The last link of the GLAM Purse Hook has a concave inner surface which holds the hanging article (<i>e.g.</i> a purse). This is shown in the following product image from the RedEnvelope website:</p> 
<p>6</p>	<p>The portable hanger of claim 1 where in the portion of the last link extends into the perimeter of the base.</p>	<p>The GLAM Purse Hook's last link interlocks with the base by a portion of the last link extending into a slot on the perimeter of the base. The following picture shows the last link and the slot on the base into which it extends:</p> 



Claim	'900 Patent Claim Language	GLAM Purse Hook
7	The portable hanger of claim 1 further comprising a locking means that secures the plurality of links in the stored configuration.	<p>The GLAM Purse Hook includes magnets that secure the links in the stored configuration. Those magnets are shown in the following picture:</p> 
8	The portable hanger of claim 7 wherein the locking means includes a magnet.	<p>The GLAM Purse Hook includes magnets that secure the links in the stored configuration. Those magnets are shown in the following picture:</p> 


Claim	'900 Patent Claim Language	GLAM Purse Hook
<p>15</p>	<p>A hanger for hanging an article relative to a surface, the hanger comprising:</p>	<p>The GLAM Purse Hook hangs an article (<i>e.g.</i> a purse) relative to a surface (<i>e.g.</i> below a table). This is shown in the following product image from the RedEnvelope website:</p> 
<p>15 (cont)</p>	<p>a base having a bottom surface and a perimeter, the bottom surface being adapted to contact the surface;</p>	<p>The RedEnvelope Purse Hook has a base with a bottom surface and a perimeter (<i>i.e.</i> the circular outer edge of the base), the bottom surface of the base is adapted to contact the surface by being flat and rubberized. This is shown in the following product image from the RedEnvelope website:</p> 


Claim	'900 Patent Claim Language	GLAM Purse Hook
<p>1</p> <p>2</p> <p>3</p> <p>4</p> <p>5</p> <p>6</p> <p>7</p> <p>8</p> <p>9</p> <p>10</p> <p>11</p> <p>12</p> <p>13</p> <p>14</p> <p>15</p> <p>16</p> <p>17</p> <p>18</p> <p>19</p> <p>20</p> <p>21</p> <p>22</p> <p>23</p> <p>24</p> <p>25</p> <p>26</p> <p>27</p> <p>28</p>	<p>a plurality of links</p> <p>that form a chain</p> <p>having a first link</p> <p>and a last link, the</p> <p>first link being</p> <p>movably</p> <p>connected to the</p> <p>perimeter of the</p> <p>base, the chain</p> <p>being movable</p> <p>between</p>	<p>The GLAM Purse Hook has a chain of two links,</p> <p>including a first link and a last link, in which the</p> <p>first link is movably connected to the perimeter of</p> <p>the base so that it can move between an operative</p> <p>configuration and a stored configuration.</p>


Claim	'900 Patent Claim Language	GLAM Purse Hook
<p>15 (cont)</p>	<p>(i) an operative configuration in which the chain forms a support structure that is adapted to suspend the article when the bottom surface of the base is in contact with the surface, and</p>	<p>The RedEnvelope Purse Hook has an operative configuration in which the chain of links forms a support structure from which the article (<i>e.g.</i> a purse) may be suspended when the bottom of the base is in contact with the surface (<i>e.g.</i> when the base is resting on a table). This configuration is shown in the following product image from the RedEnvelope website:</p> 



Claim	'900 Patent Claim Language	GLAM Purse Hook
<p>15 (cont)</p>	<p>(ii) a stored configuration in which at least a portion of the chain is positioned generally adjacent the perimeter of the base; and</p>	<p>The GLAM Purse Hook has a stored configuration in which the chain of links is positioned adjacent to the perimeter of the base (<i>i.e.</i> the circular outer edge of the base). This configuration is shown in the following product image from the RedEnvelope website:</p> 
<p>15 (cont)</p>	<p>a locking means that selectively secures at least the portion of the chain against the perimeter of the base in the stored configuration, the locking means including a magnet.</p>	<p>The GLAM Purse Hook includes magnets that secure a portion of the chain of links against the perimeter of the base (<i>i.e.</i> the circular outer edge of the base) in the stored configuration. Those magnets are shown in the following picture:</p> 



Claim	'900 Patent Claim Language	GLAM Purse Hook
16	The portable hanger of claim 15, wherein the locking means includes first and second magnets.	<p>The GLAM Purse Hook includes two magnets that secure a portion of the chain of links against the perimeter of the base (<i>i.e.</i> the circular outer edge of the base) in the stored configuration. Those magnets are shown in the following picture:</p> 
17	The portable hanger of claim 16, wherein the first magnet is mounted on the perimeter of the base, and the second magnet is mounted on one of the plurality of links.	<p>The GLAM Purse Hook includes two magnets that secure a portion of the chain of links against the perimeter of the base (<i>i.e.</i> the circular outer edge of the base) in the stored configuration. One of the magnets is located on the perimeter of the base (<i>i.e.</i> the circular outer edge of the base) and the other is located on one of the links. Those magnets are shown in the following picture:</p> 


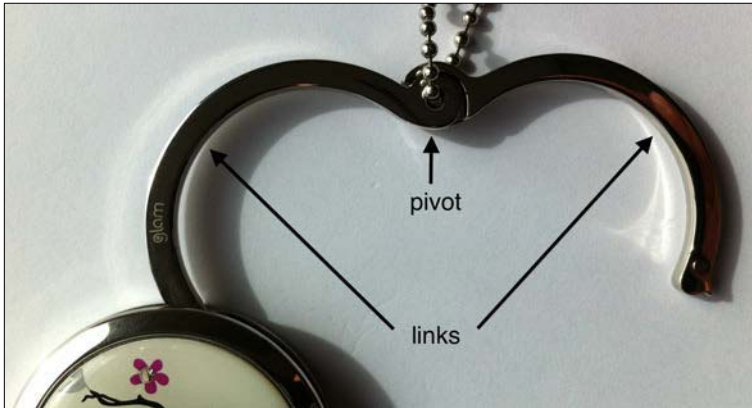
Claim	'900 Patent Claim Language	GLAM Purse Hook
18	A hanger for hanging an article relative to a surface, the hanger comprising:	<p>The GLAM Purse Hook is a hanger for hanging an article (<i>e.g.</i> a purse) relative to a surface (<i>e.g.</i> below a table). This is shown in the following product image from the RedEnvelope website:</p> 


Claim	'900 Patent Claim Language	GLAM Purse Hook
<p>18 (cont)</p>	<p>a base having a bottom surface and a perimeter, the bottom surface being adapted to contact the surface;</p>	<p>The GLAM Purse Hook has a base with a bottom surface (<i>i.e.</i> a ring of rubber) adapted to contact a surface (<i>e.g.</i> a table) and a perimeter (<i>i.e.</i> the circular outer edge of the base). The bottom surface is adapted to contact the surface by being flat and rubberized. This is shown in the following product image from the RedEnvelope website:</p> 
<p>18 (cont)</p>	<p>a plurality of links that form a chain having a first link and a last link, the first link being movably connected to the perimeter of the base, the chain being movable between</p>	<p>The GLAM Purse Hook has a chain of two links, including a first link and a last link. The first link is movably connected to the perimeter of the base so that it can move between an operative configuration and a stored configuration.</p>

Claim	'900 Patent Claim Language	GLAM Purse Hook
<p>18 (cont)</p>	<p>(i) an operative configuration in which the chain forms a support structure that is adapted to suspend the article when the bottom surface of the base is in contact with the surface, and</p>	<p>The GLAM Purse Hook has an operative configuration in which the chain of links forms a support structure from which the article (<i>e.g.</i> a purse) may be suspended when the bottom of the base is in contact with the surface (<i>e.g.</i> when the base is resting on a table). This configuration is shown in the following product image from the RedEnvelope website:</p> 



Claim	'900 Patent Claim Language	GLAM Purse Hook
<p>18 (cont)</p>	<p>(ii) a stored configuration in which at least a portion of the chain is positioned generally adjacent the perimeter of the base; and</p>	<p>The GLAM Purse Hook has a stored configuration in which the chain of links is positioned adjacent to the perimeter (<i>i.e.</i> the circular outer edge) of the base. This configuration is shown in the following product image from the RedEnvelope website:</p> 
<p>18 (cont)</p>	<p>a locking means that selectively secures at least the portion of the chain against the perimeter of the base in the stored configuration, the locking means including a first magnet and a second magnet.</p>	<p>The GLAM Purse Hook includes magnets that secure a portion of the chain of links against the perimeter of the base (<i>i.e.</i> the circular outer edge of the base) in the stored configuration. Those magnets are shown in the following picture:</p> 



Claim	'900 Patent Claim Language	GLAM Purse Hook
19	The hanger of claim 18 wherein the last link is adapted to interlock with the perimeter of the base.	<p>In the stored configuration, the last link of the GLAM Purse Hook physically extends into the perimeter of the base. The following picture shows the last link and the slot on the base into which it extends:</p> 
20	A portable hanger for hanging an article relative to a surface, the portable hanger comprising:	<p>The GLAM Purse Hook is a portable hanger for hanging an article (<i>e.g.</i> a purse) relative to a surface (<i>e.g.</i> below a table). This is shown in the following product image from the RedEnvelope website:</p> 


Claim	'900 Patent Claim Language	GLAM Purse Hook
<p>20 (cont)</p>	<p>a base having a generally planar bottom surface and a perimeter, the bottom surface being adapted to rest upon and frictionally engage the surface;</p>	<p>The GLAM Purse Hook has a base with a planar (<i>i.e.</i> flat) bottom surface (<i>i.e.</i> the ring of rubber) adapted to contact a surface (<i>i.e.</i> a table) by being flat and rubberized and a perimeter (<i>i.e.</i> the circular outer edge of the base). This is shown in the following product image from the RedEnvelope website:</p> 
<p>20 (cont)</p>	<p>a plurality of links pivotally linked to each other in series to form a chain having a first link and a last link;</p>	<p>The GLAM Purse Hook has two links in a chain, including a first link and a last link, which are linked to each other in such a way that they are able to pivot relative to each other. The links and pivot are shown in the following image:</p> 


Claim	'900 Patent Claim Language	GLAM Purse Hook
<p>20 (cont)</p>	<p>a pivot pin that pivotally connects the perimeter of the base and the first link so that the first link can pivot between a first position and a second position with respect to the base;</p>	<p>The GLAM Purse Hook has a retractable pivot pin that connects the perimeter of the base (<i>i.e.</i> the circular outer edge of the base) and the first link. The following is an image showing the retractable pin:</p>  <p>The pivot pin permits the first link to move between two positions.</p>
<p>20 (cont)</p>	<p>wherein the plurality of links are adapted for pivot between</p>	<p>The links in the GLAM Purse Hook are able to pivot between two configurations.</p>



Claim	'900 Patent Claim Language	GLAM Purse Hook
<p>1 20</p> <p>2 (cont)</p>	<p>3 a stored</p> <p>4 configuration in</p> <p>5 which the first</p> <p>6 link is in the first</p> <p>7 position and in</p> <p>8 which the</p> <p>9 plurality of links</p> <p>10 contact the</p> <p>11 perimeter of the</p> <p>12 base, and</p>	<p>3 The GLAM Purse Hook has a stored configuration</p> <p>4 where the first link is in the first position in which</p> <p>5 all of the links contact the perimeter of the base.</p> <p>6 This configuration is shown in the following</p> <p>7 product image from the RedEnvelope website:</p> <div data-bbox="831 604 1214 991" data-label="Image"> </div>


Claim	'900 Patent Claim Language	GLAM Purse Hook
<p>20 (cont)</p>	<p>an operative configuration in which the first link is in the second position and in which the plurality of links form a hook so that the article may be hung upon the hook when the base is positioned on the surface; and</p>	<p>The GLAM Purse Hook has an operative configuration in which the first link is in the second position and the plurality of links form a hook for hanging an article (<i>e.g.</i> a purse) when the base is on the surface (<i>i.e.</i> placed on a table). This is shown in the following product image from the RedEnvelope website:</p> 
<p>20 (cont)</p>	<p>a locking means for securing the plurality of links in the stored configuration, the locking means including first and second magnets.</p>	<p>The GLAM Purse Hook includes two magnets that secure the links in the stored configuration. Those magnets are shown in the following picture:</p> 


Claim	'900 Patent Claim Language	GLAM Purse Hook
21	The hanger of claim 20, wherein the first magnet is mounted on the perimeter of the base, and the second magnet is mounted on one of the plurality of links.	<p>The GLAM Purse Hook includes two magnets that secure the links in the stored configuration. One of the magnets is located on the perimeter of the base (<i>i.e.</i> the circular outer edge of the base) and the other is located on one of the links. Those magnets are shown in the following picture:</p> 
22	A hanger for hanging an article relative to a surface, the hanger comprising:	<p>The GLAM Purse Hook is a hanger for hanging an article (<i>e.g.</i> a purse) relative to a surface (<i>e.g.</i> below a table). This is shown in the following product image from the RedEnvelope website:</p> 

Claim	'900 Patent Claim Language	GLAM Purse Hook
22 (cont)	a base having a generally planar bottom surface and a perimeter, the bottom surface being adapted to rest upon the surface;	<p>The GLAM Purse Hook has a base with a planar (<i>i.e.</i> flat) bottom surface adapted to rest on a surface (by being flat and rubberized) and a circular perimeter. This is shown in the following product image from the RedEnvelope website:</p> 

Claim	'900 Patent Claim Language	GLAM Purse Hook
<p>22 (cont)</p>	<p>a plurality of links that form a chain having a first link and a last link, the first link being movably connected to the perimeter of the base, the last link being adapted to interlock with the base; and</p>	<p>The GLAM Purse Hook has a chain of two links, including a first link and a last link, in which the first link is movably connected to the perimeter of the base (<i>i.e.</i> the circular outer edge of the base) so that it can move between an operative configuration and a stored configuration and in which the last link interlocks with the base by a portion of the last link extending into a slot on the base. The following picture shows the last link and the slot on the base into which it extends:</p> 



Claim	'900 Patent Claim Language	GLAM Purse Hook
<p>22 (cont)</p>	<p>a locking means that selectively secures the chain in the stored configuration, the locking means including a magnet;</p>	<p>The GLAM Purse Hook includes magnets that secure the chain of links in the stored configuration. Those magnets are shown in the following picture:</p> 
<p>22 (cont)</p>	<p>wherein the chain is adapted to move between</p>	<p>The GLAM Purse Hook's chain of links can move between two configurations.</p>
<p>22 (cont)</p>	<p>a stored configuration in which the chain contacts the perimeter of the base, and</p>	<p>The GLAM Purse Hook has a stored configuration in which the chain of links contacts the perimeter of the base (<i>i.e.</i> the circular outer edge of the base). This configuration is shown in the following product image from the RedEnvelope website:</p> 

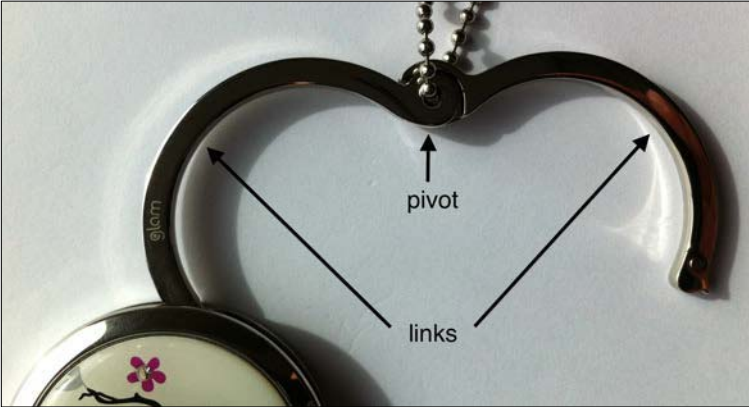
Claim	'900 Patent Claim Language	GLAM Purse Hook
<p>22 (cont)</p>	<p>an operative configuration in which the chain forms a hook that is adapted to suspend the article when the base is positioned on the surface.</p>	<p>The GLAM Purse Hook has an operative configuration in which the chain forms a hook from which the article (<i>e.g.</i> a purse) may be suspended when the base is positioned on the surface (<i>i.e.</i> placed on a table). This configuration is shown in the following product image from the RedEnvelope website:</p> 


Claim	'900 Patent Claim Language	GLAM Purse Hook
23	The hanger of claim 22 further comprising a connector that connects the first link to the base so that the plurality of links can move between the operative configuration and the stored configuration.	<p>The GLAM Purse Hook has a connector in the form of a retractable pin that connects the first link to the base so that the links can move between the operative configuration and the stored configuration. The following is an image showing the retractable pin:</p> 


F. The GLAM Purse Hook's infringement of the '669 Patent


36. The GLAM Purse Hook practices all of the elements in claims 12, 14, 15, 17, 19, and 20 of the '669 Patent


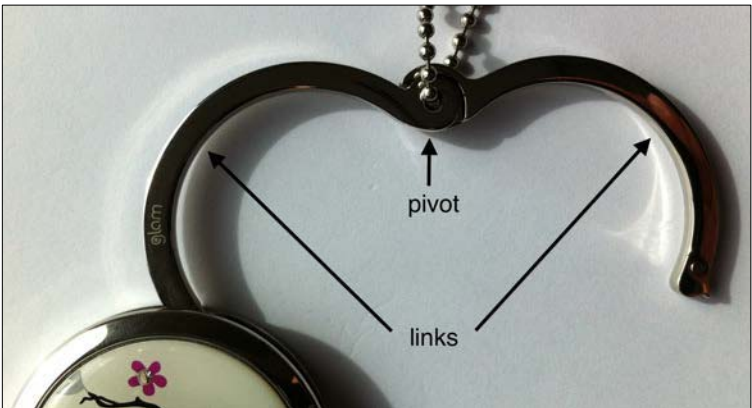
Claim	'669 Patent Claim Language	GLAM Purse Hook
12	A hanger for hanging an article relative to a surface, the hanger comprising:	<p>The GLAM Purse Hook is a hanger for hanging an article (<i>e.g.</i> a purse) relative to a surface (<i>e.g.</i> below a table). This is shown in the following product image from the RedEnvelope website:</p> 
12 (cont)	a base having a base that is substantially circular;	<p>The GLAM Purse Hook has a circular base. This is shown in the following product image from the RedEnvelope website:</p> 



Claim	'669 Patent Claim Language	GLAM Purse Hook
<p>12 (cont)</p>	<p>a plurality of links including a first link and a last link that are connected to one another; and</p>	<p>The GLAM Purse Hook has two connected links, including a first link and a last link. The links are shown in the following image:</p> 

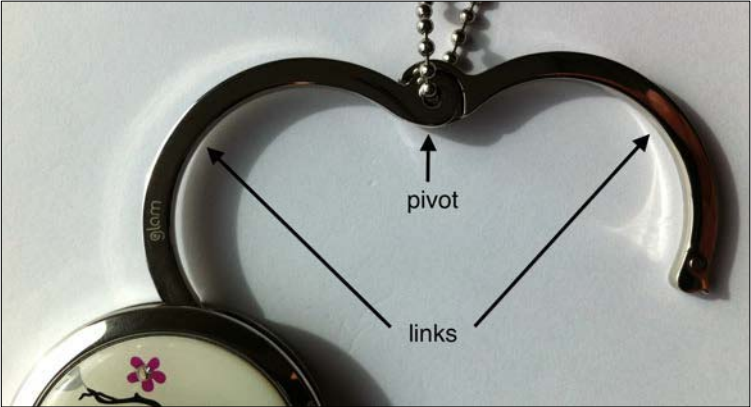
Claim	'669 Patent Claim Language	GLAM Purse Hook
<p>12 (cont)</p>	<p>a connector that couples the first link to the base, the connector selectively moves along an axis between a retracted position and an extended position, the connector rotating about the axis to move the plurality of links between</p>	<p>The GLAM Purse Hook has a connector, in the form of a retractable pin, that couples the first link to the base. A side-by-side comparison of the retractable-pin connector in its retracted position and extended position appears in the following image:</p>  <p>The connector moves along an axis between a retracted position and an extended position. The connector rotates about the axis so that the links can move between a stored configuration and an operative configuration.</p>

Claim	'669 Patent Claim Language	GLAM Purse Hook
12 (cont)	(i) a stored configuration wherein one of the links abuts at least approximately 60 degrees of the perimeter of the base, and	<p>The GLAM Purse Hook has a circular base and in the stored configuration one of the links abuts (<i>i.e.</i> is adjacent to) at least 60° of the perimeter of the base. This is shown in the following product image from the RedEnvelope website in which each of the links abuts approximately 180° (which is at least 60°) of the perimeter of the base:</p> 



Claim	'669 Patent Claim Language	GLAM Purse Hook
12 (cont)	(ii) an operative configuration in which at least one of the links is positioned to suspend the article relative to the surface.	<p>The GLAM Purse Hook has an operative configuration in which at least one of the links is positioned to suspend the article (<i>e.g.</i> a purse) relative to the surface (<i>e.g.</i> below a table). This configuration is shown in the following product image from the RedEnvelope website:</p> 



Claim	'669 Patent Claim Language	GLAM Purse Hook
14	The hanger of claim 12 wherein the base includes a substantially planar bottom surface, and wherein the axis is substantially parallel to the bottom surface.	<p>The base of the GLAM Purse Hook has a substantially planar (<i>i.e.</i> flat) bottom surface which is substantially parallel to the axis about which the retractable pin rotates. This is shown in the following image:</p> 
15	The hanger of claim 12 wherein the links are adapted to pivot relative to one another.	<p>The links of the GLAM Purse Hook pivot relative to each other. The links and pivot are shown in the following image:</p> 


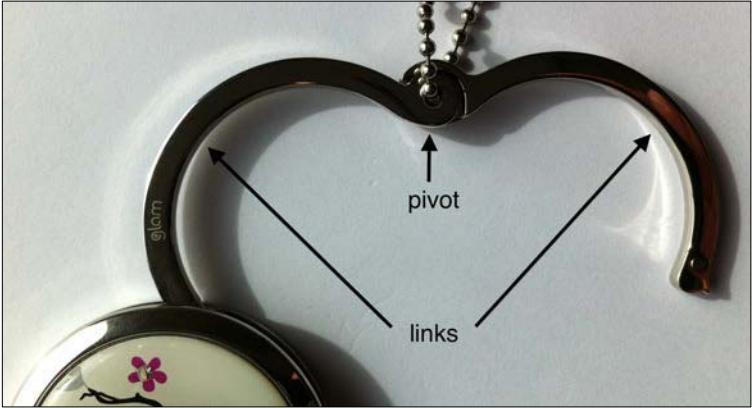
Claim	'669 Patent Claim Language	GLAM Purse Hook
17	A hanger for hanging an article relative to a surface, the hanger comprising:	<p>The GLAM Purse Hook is a hanger for hanging an article (<i>e.g.</i> a purse) relative to a surface (<i>e.g.</i> below a table). This is shown in the following product image from the RedEnvelope website:</p> 
17 (cont)	a base having a perimeter;	<p>The GLAM Purse Hook has a base with a circular perimeter. This is shown in the following product image from the RedEnvelope website:</p> 

Claim	'669 Patent Claim Language	GLAM Purse Hook
17 (cont)	a plurality of links including a first link and a last link that are connected to one another;	<p>The GLAM Purse Hook has two connected links. The links are shown in the following image:</p> 



Claim	'669 Patent Claim Language	GLAM Purse Hook
<p>17 (cont)</p>	<p>a connector that couples the first link to the base, the connector selectively moves along an axis between a retracted position and an extended position, the connector rotating about the axis to move the plurality of links between</p>	<p>The GLAM Purse Hook has a connector in the form of a retractable pin that couples the first link to the base. A side-by-side comparison of the retractable-pin connector in its retracted position and extended position appears in the following image:</p> <div data-bbox="748 688 1295 1089" data-label="Image"> </div> <p>The connector moves along an axis between a retracted position and an extended position. The connector rotates about the axis to move the links between a stored configuration and an operative configuration.</p>



Claim	'669 Patent Claim Language	GLAM Purse Hook
17 (cont)	(i) a stored configuration, and	<p>The GLAM Purse Hook has a stored configuration. This configuration is shown in the following product image from the RedEnvelope website:</p> 
17 (cont)	(ii) an operative configuration in which at least one of the links is positioned to suspend the article relative to the surface; and	<p>The GLAM Purse Hook has an operative configuration in which at least one of the links is positioned to suspend the article (<i>e.g.</i> a purse) relative to the surface (<i>e.g.</i> below a table). This configuration is shown in the following product image from the RedEnvelope website:</p> 


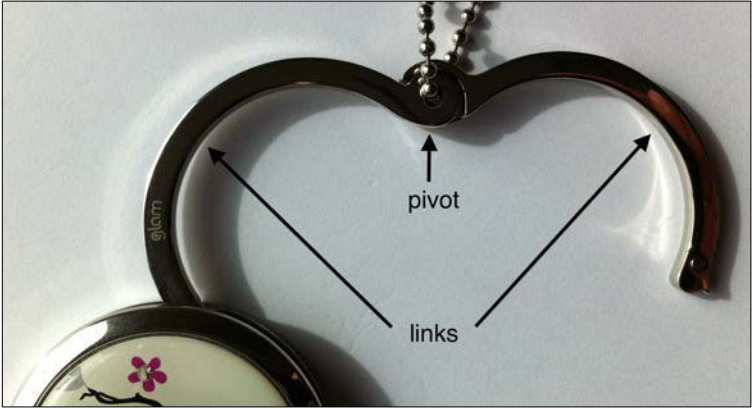
Claim	'669 Patent Claim Language	GLAM Purse Hook
17 (cont)	a locking means that secures at least one of the links to the perimeter of the base on the stored configuration.	<p>The GLAM Purse Hook includes magnets that secure one of the links to the perimeter of the base (<i>i.e.</i> the circular outer edge of the base) in the stored configuration. Those magnets are shown in the following picture:</p> 
19	A hanger for hanging an article relative to a surface, the hanger comprising:	<p>The GLAM Purse Hook is a hanger for hanging an article (<i>e.g.</i> a purse) relative to a surface (<i>e.g.</i> below a table). This is shown in the following product image from the RedEnvelope website:</p> 

Claim	'669 Patent Claim Language	GLAM Purse Hook
19 (cont)	a base having a perimeter;	<p>The GLAM Purse Hook has a base with a circular perimeter. This is shown in the following product image from the RedEnvelope website:</p> 
19 (cont)	a plurality of links including a first link and a last link that are connected to one another; and	<p>The GLAM Purse Hook has two connected links. The links are shown in the following image:</p> 



Claim	'669 Patent Claim Language	GLAM Purse Hook
<p>19 (cont)</p>	<p>a connector that couples the first link to the base, the connector selectively moves along an axis between a retracted position and an extended position, the connector rotating about the axis to move the plurality of links between</p>	<p>The GLAM Purse Hook has a connector in the form of a retractable pin that couples the first link to the base. A side-by-side comparison of the retractable-pin connector in its retracted position and extended position appears in the following image:</p> <div data-bbox="748 688 1295 1089" data-label="Image"> </div> <p>The connector moves along an axis between a retracted position and an extended position. The connector rotates about the axis to move the links between a stored configuration and an operative configuration.</p>


Claim	'669 Patent Claim Language	GLAM Purse Hook
19 (cont)	(i) a stored configuration, and	<p>The GLAM Purse Hook has a stored configuration. This configuration is shown in the following product image from the RedEnvelope website:</p> 
19 (cont)	(ii) an operative configuration in which at least one of the links is positioned to suspend the article relative to the surface;	<p>The GLAM Purse Hook has an operative configuration in which at least one of the links is positioned to suspend the article (<i>e.g.</i> a purse) relative to the surface (<i>e.g.</i> below a table). This configuration is shown in the following product image from the RedEnvelope website:</p> 

Claim	'669 Patent Claim Language	GLAM Purse Hook
<p>19 (cont)</p>	<p>wherein the links contact at least approximately 50% of the perimeter of the base in the stored configuration.</p>	<p>The links in the GLAM Purse Hook contact <u>at least</u> 50% of the perimeter (<i>i.e.</i> the circular outer edge) of the base in the stored configuration because they contact almost the entire perimeter. This is shown in the following product image from the RedEnvelope website:</p> 
<p>20</p>	<p>A hanger for hanging an article relative to a surface, the hanger comprising:</p>	<p>The GLAM Purse Hook is a hanger for hanging an article (<i>e.g.</i> a purse) relative to a surface (<i>e.g.</i> below a table). This is shown in the following product image from the RedEnvelope website:</p> 

Claim	'669 Patent Claim Language	GLAM Purse Hook
20 (cont)	a base having a perimeter;	<p>The GLAM Purse Hook has a base with a circular perimeter. This is shown in the following product image from the RedEnvelope website:</p> 
20 (cont)	a plurality of links including a first link and a last link that are connected to one another; and	<p>The GLAM Purse Hook has two connected links. The links are shown in the following image:</p> 

Claim	'669 Patent Claim Language	GLAM Purse Hook
<p>20 (cont)</p>	<p>a connector that couples the first link to the base, the connector selectively moves along an axis between a retracted position and an extended position, the connector rotating about the axis to move the plurality of links between</p>	<p>The GLAM Purse Hook has a connector in the form of a retractable pin that couples the first link to the base. A side-by-side comparison of the retractable-pin connector in its retracted position and extended position appears in the following image:</p> <div data-bbox="748 688 1295 1089" data-label="Image"> </div> <p>The connector moves along an axis between a retracted position and an extended position. The connector rotates about the axis to move the links between a stored configuration and an operative configuration.</p>

Claim	'669 Patent Claim Language	GLAM Purse Hook
20 (cont)	(i) a stored configuration, and	<p>The GLAM Purse Hook has a stored configuration. This configuration is shown in the following product image from the RedEnvelope website:</p> 
20 (cont)	(ii) an operative configuration in which at least one of the links is positioned to suspend the article relative to the surface;	<p>The GLAM Purse Hook has an operative configuration in which at least one of the links is positioned to suspend the article (<i>e.g.</i> a purse) relative to the surface (<i>e.g.</i> below a table). This configuration is shown in the following product image from the RedEnvelope website:</p> 

Claim	'669 Patent Claim Language	GLAM Purse Hook
20 (cont)	wherein the links contact approximately 100% of the perimeter of the base in the stored configuration.	<p>The links in the GLAM Purse Hook contact at approximately 100% of the perimeter (<i>i.e.</i> the circular outer edge) of the base in the stored configuration because they contact almost the entire perimeter. This is shown in the following product image from the RedEnvelope website:</p> 

G. RedEnvelope's willful infringement of the Luxe Link Patents

37. On December 30, 2009, Luxe Link sent a letter to RedEnvelope by certified mail notifying RedEnvelope that the '900 Patent was about to issue and that RedEnvelope's RedEnvelope Purse Hook infringed the claims of the '900 Patent. A copy of that letter is attached as Exhibit E.

38. In that letter, Luxe Link also advised RedEnvelope that it had filed a continuation application, U.S. Serial No. 12/566,574, with claims slightly different than those in the '900 Patent which also covered the RedEnvelope Purse Hook. That is the continuation application which resulted in the issuance of the '669 Patent.

39. On January 12, 2010, Luxe Link sent a letter to RedEnvelope by certified mail providing notice that the '900 Patent had issued and requesting that RedEnvelope immediately contact Luxe Link regarding its infringement. A copy of

1 that letter, which enclosed a copy of the '900 Patent, is attached as Exhibit F.

2 40. On January 21, 2010, RedEnvelope responded to Luxe Link and
3 acknowledged its infringement claim regarding the RedEnvelope Purse Hook. In
4 that letter, RedEnvelope asserted that it was not liable for any infringement of the
5 '900 Patent because "RedEnvelope merely resells the product in questions." But
6 RedEnvelope did not identify the alleged third party that it claims designs and
7 manufactures the RedEnvelope Purse Hook. A copy of that letter is attached as
8 Exhibit G.

9 41. In that letter RedEnvelope confirmed that it had reviewed the claims
10 of the '900 Patent and applied them to the RedEnvelope Purse Hook. RedEnvelope
11 then stated, without any supporting analysis, that the '900 Patent was invalid and
12 that RedEnvelope did not infringe it. RedEnvelope attempted to support this
13 position with a generic recitation of basic patent law:

14 "Having had the opportunity to more fully review the claims of the
15 '900 Patent vis-à-vis the Purse Hook, RedEnvelope is unable to
16 determine how the Purse Hook might be alleged to infringe any valid
17 claim of the '900 Patent. It appears that the Purse Hook fails to
18 satisfy each and every claim limitation of any one of the independent
19 claims of the '900 Patent. To the extent that the Purse Hook is found
not to infringe an independent claim of the '900 Patent, any claim
dependent from that independent claim is not infringed in that a
dependent represents a more narrowly claimed embodiment of its
independent base claim."

20 (Exhibit G)

21 42. In that letter, RedEnvelope demanded that Luxe Link provide an
22 infringement analysis and stated that "In the absence of further correspondence,
23 RedEnvelope will consider this matter mutually resolved." (Exhibit G)

24 43. RedEnvelope continued to offer the infringing RedEnvelope Purse
25 Hook for sale.

26 44. On February 2, 2010, Luxe Link sent RedEnvelope further
27 correspondence expressly identifying independent claim 15 and dependent claims
28 18 and 20 of the '900 Patent as being practiced by RedEnvelope. Luxe Link

1 repeated its request that RedEnvelope cease and desist from infringing the '900
2 Patent. A copy of that letter is attached as Exhibit H.

3 45. RedEnvelope continued to offer the infringing RedEnvelope Purse
4 Hook for sale.

5 46. On September 27, 2010, Luxe Link sent another letter to RedEnvelope
6 by certified mail regarding RedEnvelope's continuing infringement and including a
7 detailed infringement claim chart. A copy of that letter is attached as Exhibit I.

8 47. RedEnvelope continued to offer the infringing RedEnvelope Purse
9 Hook for sale.

10 48. On October 25, 2010, RedEnvelope responded and again made
11 conclusory denials of infringement and assertions of invalidity:

12 "RedEnvelope has carefully reviewed these assertions and maintains
13 its previous contention that the '900 Patent is not infringed by the
14 RedEnvelope purse hook product. RedEnvelope also has serious
15 concerns as to the validity of the '900 Patent and is in possession of
prior art believed to evidence both the anticipation and obviousness of
the claims identified in your charts."

16 A copy of that letter is attached as Exhibit J.

17 49. Notwithstanding its unsupported legal conclusions, RedEnvelope
18 failed to provide any information in support of its non-infringement position and
19 failed to identify any prior art it alleges invalidates the '900 Patent. Instead,
20 RedEnvelope requested that Luxe Link provide it a draft license under which
21 RedEnvelope could continue to offer the RedEnvelope Purse Hook.

22 50. RedEnvelope continued to offer the infringing RedEnvelope Purse
23 Hook for sale.

24 51. On December 20, 2010, nearly a year after Luxe Link first provided
25 notice that the RedEnvelope Purse Hook infringed the '900 patent, Luxe Link sent
26 RedEnvelope yet another letter demanding that RedEnvelope cease and desist
27 offering the infringing RedEnvelope Purse Hook. A copy of that letter is attached
28 as Exhibit K.

1 52. On January 7, 2011, Luxe Link sent yet another letter to RedEnvelope
2 advising that Luxe Link was not willing to license its '900 Patent to RedEnvelope
3 but would consider selling Luxe Link Purse Hooks to RedEnvelope for further
4 distribution. A copy of that letter is attached as Exhibit L.

5 53. RedEnvelope continued to offer its infringing RedEnvelope Purse
6 Hooks for sale.

7 54. RedEnvelope had actual notice of Luxe Link's patent rights as early
8 as December 2009.

9 55. RedEnvelope's continuing infringement of the '900 Patent is
10 intentional and unreasonable.

11 56. RedEnvelope began offering its infringing GLAM Purse Hooks after
12 it received actual notice of the Luxe Link Patents.

13 57. RedEnvelope has deliberately disregarded Luxe Link's property rights
14 and has continued to sell infringing RedEnvelope Purse Hooks and GLAM Purse
15 Hooks. It has done so with no reasonable belief for thinking it had a legal right to
16 continue its conduct—Luxe Link repeatedly requested that RedEnvelope identify a
17 basis for RedEnvelope's position and RedEnvelope responded with blanket
18 assertions of non-infringement and invalidity unsupported by information or prior
19 art.

20 58. RedEnvelope's intentional infringement has caused substantial harm
21 to Luxe Link's purse hook business. RedEnvelope's infringing purse hooks are
22 inexpensive knock offs of Luxe Link's patented product and RedEnvelope's sale of
23 its competing infringing products at much lower prices has caused commercial
24 injury to Luxe Link.

**V. FIRST CAUSE OF ACTION
PATENT INFRINGEMENT UNDER 35 U.S.C. § 271
U.S. PATENT NO. 7,644,900**

59. Plaintiff incorporates Paragraphs 1–58 of its Complaint by reference herein.

60. Defendant has been and is directly infringing the '900 Patent under 35 U.S.C. § 271(a) by making, using, offering to sell, and selling, its RedEnvelope Purse Hooks and GLAM Purse Hooks within the United States.

61. Upon information and belief, Defendant's customers and other users of Defendant's RedEnvelope Purse Hooks and GLAM Purse Hooks, have been and are directly infringing one or more claims of the '900 Patent under 35 U.S.C. § 271(a).

62. Defendant has been and is actively inducing infringement of one or more claims of the '900 Patent under 35 U.S.C. § 271(b) by providing to customers, including customers in this judicial district, its RedEnvelope Purse Hooks and GLAM Purse Hooks, along with instructions and directions that result in the use of the portable hanger disclosed and claimed in the '900 Patent. On information and belief, Defendant knew, or should have known, that its customers and other users of its products would use Defendant's products to infringe the '900 Patent and intended such infringement.

63. Defendant has been and is contributorily infringing one or more claims of the '900 Patent under 35 U.S.C. § 271(c) by making, selling, and/or offering for sale to customers, including customers in this judicial district, its RedEnvelope Purse Hooks and GLAM Purse Hooks. Defendant's RedEnvelope Purse Hooks and GLAM Purse Hooks are each a material part of the invention claimed in the '900 Patent, are not staple articles or commodities of commerce, and have no substantial non-infringing use. Upon information and belief, Defendant knew, or should have known, that its RedEnvelope Purse Hooks and GLAM Purse

1 Hooks were especially made or adapted for an infringing use.

2 64. Defendant's infringement, contributory infringement, and inducement
3 to infringe the '900 Patent have been willful and have deliberately injured and will
4 continue to injure Luxe Link unless and until the Court enters a preliminary or
5 permanent injunction prohibiting further infringement and, specifically, enjoining
6 further manufacture, use, importation, sale, and/or offer for sale of products that
7 fall within the scope of the '900 Patent.

8
9 **VI. SECOND CAUSE OF ACTION**
10 **PATENT INFRINGEMENT UNDER 35 U.S.C. § 271**
11 **U.S. PATENT NO. 8,061,669**

12 65. Plaintiff incorporates Paragraphs 1–64 of its Complaint by reference
13 herein.

14 66. Defendant has been and is directly infringing the '669 Patent under 35
15 U.S.C. § 271(a) by making, using, offering to sell, and selling, its RedEnvelope
16 Purse Hooks and GLAM Purse Hooks within the United States.

17 67. Defendant's customers and other users of Defendant's RedEnvelope
18 Purse Hooks and GLAM Purse Hooks, have been and are directly infringing one or
19 more claims of the '669 Patent under 35 U.S.C. § 271(a).

20 68. Defendant has been and is actively inducing infringement of one or
21 more claims of the '669 Patent under 35 U.S.C. § 271(b) by providing to
22 customers, including customers in this judicial district, its RedEnvelope Purse
23 Hooks and GLAM Purse Hooks, along with instructions and directions that result
24 in the use of the hanger disclosed and claimed in the '669 Patent. On information
25 and belief, Defendant knew, or should have known, that its customers and other
26 users of its products would use Defendant's products to infringe the '669 Patent
27 and intended such infringement.

28 69. Defendant has been and is contributorily infringing one or more
claims of the '669 Patent under 35 U.S.C. § 271(c) by making, selling, and/or

1 offering for sale to customers, including customers in this judicial district, its
2 RedEnvelope Purse Hooks and GLAM Purse Hooks. Defendant's RedEnvelope
3 Purse Hooks and GLAM Purse Hooks are each a material part of the invention
4 claimed in the '669 patent, are not staple articles or commodities of commerce, and
5 have no substantial non-infringing use. Upon information and belief, Defendant
6 knew, or should have known, that its RedEnvelope Purse Hooks and GLAM Purse
7 Hooks were especially made or adapted for an infringing use.

8 70. Defendant's infringement, contributory infringement, and inducement
9 to infringe the '669 Patent have been willful and have deliberately injured and will
10 continue to injure Luxe Link unless and until the Court enters a preliminary or
11 permanent injunction prohibiting further infringement and, specifically, enjoining
12 further manufacture, use, importation, sale, and/or offer for sale of products that
13 fall within the scope of the '669 Patent.

14 **V. RELIEF REQUESTED**

15 WHEREFORE, Luxe Link asks this Court to enter judgment against
16 Defendant and against Defendant's subsidiaries, affiliates, agents, servants,
17 employees and all persons in active concert or participation with them, granting the
18 following relief:

- 19 A. A judgment or order declaring that Defendant has infringed, induced
20 others to infringe, and/or contributorily infringed the '900 Patent;
- 21 B. A judgment, order, or award of damages adequate to compensate
22 Luxe Link for Defendant's infringement of the '900 Patent, based on
23 lost sales, lost profits, price erosion, loss of market share, or any other
24 applicable theory, together with prejudgment interest from the date
25 infringement of the '900 Patent began;
- 26 C. A judgment or order declaring that Defendant has infringed, induced
27 others to infringe, and/or contributorily infringed the '669 Patent;
- 28 D. A judgment, order, or award of damages adequate to compensate

Luxe Link for Defendant's infringement of the '669 Patent, based on lost sales, lost profits, price erosion, loss of market share, or any other applicable theory, together with prejudgment interest from the date infringement of the '669 Patent began;

E. A permanent injunction prohibiting further infringement, inducement, and contributory infringement of the '900 Patent;

F. A permanent injunction prohibiting further infringement, inducement, and contributory infringement of the '669 Patent;

F. A finding that this case is exceptional and an award to Luxe Link of its attorneys' fees and costs as provided by 35 U.S.C. § 285;

G. Increased damages as permitted by 35 U.S.C. § 284, together with prejudgment interest; and

H. Such other and further relief as this Court or a jury may deem proper and just.

Dated this 1st day of June, 2012.

Respectfully Submitted,

NEWMAN DU WORS LLP

By:



Derek A. Newman, State Bar No. 190467
derek@newmanlaw.com
Derek Linke (*pro hac vice* to be filed)
linke@newmanlaw.com

Attorneys for Plaintiff
LUXE LINK, LLC


VII. JURY DEMAND

Pursuant to FED. R. CIV. P. 38(b), Plaintiff Luxe Link, LLC demands a trial by jury of all issues presented in this complaint which are triable by jury.

Dated this 1st day of June, 2012.

Respectfully Submitted,

NEWMAN DU WORS LLP

By: 
Derek A. Newman, State Bar No. 190467
derek@newmanlaw.com
Derek Linke (*pro hac vice* to be filed)
linke@newmanlaw.com

Attorneys for Plaintiff
LUXE LINK, LLC

**UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA**

NOTICE OF ASSIGNMENT TO UNITED STATES MAGISTRATE JUDGE FOR DISCOVERY

This case has been assigned to District Judge Dolly Gee and the assigned discovery Magistrate Judge is Michael Wilner.

The case number on all documents filed with the Court should read as follows:

CV12- 4829 DMG (MRWx)

Pursuant to General Order 05-07 of the United States District Court for the Central District of California, the Magistrate Judge has been designated to hear discovery related motions.

All discovery related motions should be noticed on the calendar of the Magistrate Judge

=====

NOTICE TO COUNSEL

A copy of this notice must be served with the summons and complaint on all defendants (if a removal action is filed, a copy of this notice must be served on all plaintiffs).

Subsequent documents must be filed at the following location:

☒ **Western Division**
312 N. Spring St., Rm. G-8
Los Angeles, CA 90012

☐ **Southern Division**
411 West Fourth St., Rm. 1-053
Santa Ana, CA 92701-4516

☐ **Eastern Division**
3470 Twelfth St., Rm. 134
Riverside, CA 92501

Failure to file at the proper location will result in your documents being returned to you.

Derek A. Newman, State Bar No. 190467
derek@newmanlaw.com
NEWMAN DU WORS LLP
100 Wilshire Boulevard, Suite 950
Santa Monica, CA 90401
Telephone: (310) 359-8200

Derek Linke (pro hac vice to be filed)
linke@newmanlaw.com
NEWMAN DU WORS LLP
1201 Third Avenue, Suite 1600
Seattle, WA 98101
Telephone: (206) 274-2800

UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA

LUXE LINK, LLC, a California limited liability
company,

PLAINTIFF(S)

v.

PROVIDE COMMERCE, INC., a Delaware
corporation, d/b/a RedEnvelope.com,

DEFENDANT(S).

CASE NUMBER

CV12-04829

DMG (MRW)

SUMMONS

TO: DEFENDANT(S):

A lawsuit has been filed against you.

Within 21 days after service of this summons on you (not counting the day you received it), you must serve on the plaintiff an answer to the attached ☒ complaint ☐ _____ amended complaint ☐ counterclaim ☐ cross-claim or a motion under Rule 12 of the Federal Rules of Civil Procedure. The answer or motion must be served on the plaintiff's attorney, Derek Newman, whose address is 100 Wilshire Blvd., Ste. 950, Santa Monica, CA 90401. If you fail to do so, judgment by default will be entered against you for the relief demanded in the complaint. You also must file your answer or motion with the court.

JUN - 1 2012

Dated: _____

Clerk, U.S. District Court

By: _____

Deputy Clerk

(Seal of the Court)

[Use 60 days if the defendant is the United States or a United States agency, or is an officer or employee of the United States. Allowed 60 days by Rule 12(a)(3)].

Derek A. Newman, State Bar No. 190467
derek@newmanlaw.com
NEWMAN DU WORS LLP
100 Wilshire Boulevard, Suite 950
Santa Monica, CA 90401
Telephone: (310) 359-8200

Derek Linke (pro hac vice to be filed)
linke@newmanlaw.com
NEWMAN DU WORS LLP
1201 Third Avenue, Suite 1600
Seattle, WA 98101
Telephone: (206) 274-2800

UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA

LUXE LINK, LLC, a California limited liability
company,

PLAINTIFF(S)

v.

PROVIDE COMMERCE, INC., a Delaware
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DEFENDANT(S).

CASE NUMBER

CV12-04829

DMG(MRWX)

SUMMONS

TO: DEFENDANT(S):

A lawsuit has been filed against you.

Within 21 days after service of this summons on you (not counting the day you received it), you must serve on the plaintiff an answer to the attached ☒ complaint ☐ _____ amended complaint ☐ counterclaim ☐ cross-claim or a motion under Rule 12 of the Federal Rules of Civil Procedure. The answer or motion must be served on the plaintiff's attorney, Derek Newman, whose address is 100 Wilshire Blvd., Ste. 950, Santa Monica, CA 90401. If you fail to do so, judgment by default will be entered against you for the relief demanded in the complaint. You also must file your answer or motion with the court.

JUN - 1 2012

Dated: _____

Clerk, U.S. District Court

JULIE PRADO

SEAL

By: _____
Deputy Clerk

(Seal of the Court)

[Use 60 days if the defendant is the United States or a United States agency, or is an officer or employee of the United States. Allowed 60 days by Rule 12(a)(3).]

UNITED STATES DISTRICT COURT, CENTRAL DISTRICT OF CALIFORNIA
CIVIL COVER SHEET

I (a) PLAINTIFFS (Check box if you are representing yourself <input type="checkbox"/>) LUXE LINK, LLC, a California limited liability company		DEFENDANTS PROVIDE COMMERCE, INC., a Delaware corporation, d/b/a RedEnvelope.com,																			
(b) Attorneys (Firm Name, Address and Telephone Number. If you are representing yourself, provide same.) Derek A. Newman, 190467 derek@newmanlaw.com NEWMAN DU WORS LLP 100 Wilshire Boulevard, Suite 950 Santa Monica, CA 90401 Telephone: (310) 350-8200		Attorneys (If Known) Derek Linke (pro hac to be filed) linke@newmanlaw.com NEWMAN DU WORS LLP 1201 Third Avenue, Suite 1600 Seattle, WA 98101 Telephone: (206) 274-2800																			
II. BASIS OF JURISDICTION (Place an X in one box only.) <input type="checkbox"/> 1 U.S. Government Plaintiff <input checked="" type="checkbox"/> 3 Federal Question (U.S. Government Not a Party) <input type="checkbox"/> 2 U.S. Government Defendant <input type="checkbox"/> 4 Diversity (Indicate Citizenship of Parties in Item III)		III. CITIZENSHIP OF PRINCIPAL PARTIES - For Diversity Cases Only (Place an X in one box for plaintiff and one for defendant.) <table border="1" style="width:100%"><tr><td>Citizen of This State</td><td>PTF <input type="checkbox"/> 1</td><td>DEF <input type="checkbox"/> 1</td><td>Incorporated or Principal Place of Business in this State</td><td>PTF <input type="checkbox"/> 4</td><td>DEF <input type="checkbox"/> 4</td></tr><tr><td>Citizen of Another State</td><td><input type="checkbox"/> 2</td><td><input type="checkbox"/> 2</td><td>Incorporated and Principal Place of Business in Another State</td><td><input type="checkbox"/> 5</td><td><input type="checkbox"/> 5</td></tr><tr><td>Citizen or Subject of a Foreign Country</td><td><input type="checkbox"/> 3</td><td><input type="checkbox"/> 3</td><td>Foreign Nation</td><td><input type="checkbox"/> 6</td><td><input type="checkbox"/> 6</td></tr></table>		Citizen of This State	PTF <input type="checkbox"/> 1	DEF <input type="checkbox"/> 1	Incorporated or Principal Place of Business in this State	PTF <input type="checkbox"/> 4	DEF <input type="checkbox"/> 4	Citizen of Another State	<input type="checkbox"/> 2	<input type="checkbox"/> 2	Incorporated and Principal Place of Business in Another State	<input type="checkbox"/> 5	<input type="checkbox"/> 5	Citizen or Subject of a Foreign Country	<input type="checkbox"/> 3	<input type="checkbox"/> 3	Foreign Nation	<input type="checkbox"/> 6	<input type="checkbox"/> 6
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IV. ORIGIN (Place an X in one box only.) <input checked="" type="checkbox"/> 1 Original Proceeding <input type="checkbox"/> 2 Removed from State Court <input type="checkbox"/> 3 Remanded from Appellate Court <input type="checkbox"/> 4 Reinstated or Reopened <input type="checkbox"/> 5 Transferred from another district (specify): <input type="checkbox"/> 6 Multi-District Litigation <input type="checkbox"/> 7 Appeal to District Judge from Magistrate Judge																					
V. REQUESTED IN COMPLAINT: JURY DEMAND: <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No (Check 'Yes' only if demanded in complaint.) CLASS ACTION under F.R.C.P. 23: <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> MONEY DEMANDED IN COMPLAINT: \$ _____																					
VI. CAUSE OF ACTION (Cite the U.S. Civil Statute under which you are filing and write a brief statement of cause. Do not cite jurisdictional statutes unless diversity.) 35 U.S.C. 271; Patent Infringement																					
VII. NATURE OF SUIT (Place an X in one box only.) <table border="1" style="width:100%"><tr><td style="width:16.6%; vertical-align: top;">OTHER STATUTES <input type="checkbox"/> 400 State Reapportionment <input type="checkbox"/> 410 Antitrust <input type="checkbox"/> 430 Banks and Banking <input type="checkbox"/> 450 Commerce/ICC Rates/etc. <input type="checkbox"/> 460 Deportation <input type="checkbox"/> 470 Racketeer Influenced and Corrupt Organizations <input type="checkbox"/> 480 Consumer Credit <input type="checkbox"/> 490 Cable/Sat TV <input type="checkbox"/> 810 Selective Service <input type="checkbox"/> 850 Securities/Commodities/Exchange <input type="checkbox"/> 875 Customer Challenge 12 USC 3410 <input type="checkbox"/> 890 Other Statutory Actions <input type="checkbox"/> 891 Agricultural Act <input type="checkbox"/> 892 Economic Stabilization Act <input type="checkbox"/> 893 Environmental Matters <input type="checkbox"/> 894 Energy Allocation Act <input type="checkbox"/> 895 Freedom of Info. 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CV12-04829

FOR OFFICE USE ONLY: Case Number: _____

AFTER COMPLETING THE FRONT SIDE OF FORM CV-71, COMPLETE THE INFORMATION REQUESTED BELOW.

BY FAX

UNITED STATES DISTRICT COURT, CENTRAL DISTRICT OF CALIFORNIA
CIVIL COVER SHEET

VIII(a). IDENTICAL CASES: Has this action been previously filed in this court and dismissed, remanded or closed? ☒ No ☐ Yes
If yes, list case number(s): _____

VIII(b). RELATED CASES: Have any cases been previously filed in this court that are related to the present case? ☒ No ☐ Yes
If yes, list case number(s): _____

Civil cases are deemed related if a previously filed case and the present case:

- (Check all boxes that apply) ☐ A. Arise from the same or closely related transactions, happenings, or events; or
☐ B. Call for determination of the same or substantially related or similar questions of law and fact; or
☐ C. For other reasons would entail substantial duplication of labor if heard by different judges; or
☐ D. Involve the same patent, trademark or copyright, and one of the factors identified above in a, b or c also is present.

IX. VENUE: (When completing the following information, use an additional sheet if necessary.)

(a) List the County in this District; California County outside of this District; State if other than California; or Foreign Country, in which EACH named plaintiff resides.
☐ Check here if the government, its agencies or employees is a named plaintiff. If this box is checked, go to item (b).

County in this District:*	California County outside of this District; State, if other than California; or Foreign Country
Luxe Link, LLC, Los Angeles County	

(b) List the County in this District; California County outside of this District; State if other than California; or Foreign Country, in which EACH named defendant resides.
☐ Check here if the government, its agencies or employees is a named defendant. If this box is checked, go to item (c).

County in this District:*	California County outside of this District; State, if other than California; or Foreign Country
	PROVIDE COMMERCE, INC., San Diego County

(c) List the County in this District; California County outside of this District; State if other than California; or Foreign Country, in which EACH claim arose.
Note: In land condemnation cases, use the location of the tract of land involved.

County in this District:*	California County outside of this District; State, if other than California; or Foreign Country
L-A County	

* Los Angeles, Orange, San Bernardino, Riverside, Ventura, Santa Barbara, or San Luis Obispo Counties

Note: In land condemnation cases, use the location of the tract of land involved

X. SIGNATURE OF ATTORNEY (OR PRO PER): [Signature] Date June 1, 2012

Notice to Counsel/Parties: The CV-71 (JS-44) Civil Cover Sheet and the information contained herein neither replace nor supplement the filing and service of pleadings or other papers as required by law. This form, approved by the Judicial Conference of the United States in September 1974, is required pursuant to Local Rule 3-1 is not filed but is used by the Clerk of the Court for the purpose of statistics, venue and initiating the civil docket sheet. (For more detailed instructions, see separate instructions sheet.)

Key to Statistical codes relating to Social Security Cases:

Nature of Suit Code	Abbreviation	Substantive Statement of Cause of Action
861	HIA	All claims for health insurance benefits (Medicare) under Title 18, Part A, of the Social Security Act, as amended. Also, include claims by hospitals, skilled nursing facilities, etc., for certification as providers of services under the program. (42 U.S.C. 1935ff(b))
862	BL	All claims for "Black Lung" benefits under Title 4, Part B, of the Federal Coal Mine Health and Safety Act of 1969. (30 U.S.C. 923)
863	DIWC	All claims filed by insured workers for disability insurance benefits under Title 2 of the Social Security Act, as amended; plus all claims filed for child's insurance benefits based on disability. (42 U.S.C. 405(g))
863	DIWW	All claims filed for widows or widowers insurance benefits based on disability under Title 2 of the Social Security Act, as amended. (42 U.S.C. 405(g))
864	SSID	All claims for supplemental security income payments based upon disability filed under Title 16 of the Social Security Act, as amended.
865	RSI	All claims for retirement (old age) and survivors benefits under Title 2 of the Social Security Act, as amended. (42 U.S.C. (g))